

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMI CORP.
Petitioner

v.

Patent of HIRAKATA YOSHIHARU and
SHUNPEI YAMAZAKI
Patent Owner

Case IPR 2013-00066
Patent 7,876,413

Mailed: November 30, 2012

Before AMY KATTULA, *Trial Paralegal*

NOTICE OF INCOMPLETE PETITION

The petition for *inter partes* review filed on November 28, 2012 in the above proceeding has not been accorded a filing date due to the following deficiency(ies):

- Service was not properly made upon the Patent Owner.

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Under 37 C.F.R. § 42.106(b), Petitioner may correct the deficiency within ONE MONTH from the date of this notice. If the statutory deficiency is corrected (and no other deficiency is introduced) within one month, the petition will be accorded the filing date of the supplemental submission. The incomplete petition will be retained for one month such that Petitioner need not resubmit previously submitted documents in any supplemental submission. If the deficiency is not corrected within one month, the petition will be dismissed.

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <http://www.uspto.gov/PTAB>.

If there are any questions pertaining to this notice, please contact Amy Kattula at 571-272-5826 or the Patent Trial and Appeal Board at 571-272-7822.

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