

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Oracle Corporation
Petitioner

v.

Clouding IP, LLC
Patent Owner

Case IPR2013-00073 (JL)
Patent 6,738,799

Before JAMESON LEE, and JONI Y. CHANG, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

On July 2, 2013, a telephone conference call for this trial was held between respective counsel for the parties and Judges Lee and Chang. Counsel for Clouding initiated the call to request authorization to file a “Supplemental Copy” of the declaration of Dr. Chu, which is Exhibit 2007. The reason for the request was that original Exhibit 2007, filed on June 24, 2013, was discovered by Clouding on June 26th, and by Oracle on June 27th, to have been only the signature page of the declaration. Counsel for Clouding represented that the filing of only the

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signature page of the declaration was inadvertent and that the complete declaration was in fact executed and ready to file by June 24th. During the conference call, counsel for Oracle did not object to filing of the “Supplemental Copy.”

The Board authorized re-filing by Clouding of Exhibit 2007, a complete copy of the declaration of Dr. Chu. Also during the conference call, the Board reminded both parties that any paper referencing a declaration must point out specifically the paragraph number or the page and line numbers of the portions relied on to support any argument or assertion in the paper.

It is

ORDERED that Clouding is authorized to re-file Exhibit 2007, a complete copy of the declaration of Dr. Chu, and label the electronic filing as a “Replacement Copy of Declaration of Dr. Chu – Exhibit 2007”; and

FURTHER ORDERED that upon filing of the “Replacement Copy,” the original Exhibit 2007 filed on June 24th, and any subsequent “Supplemental Copy” of the declaration filed by Clouding prior to the date of this communication will be expunged, to avoid creating confusion in the record, as the term “supplemental copy” is inaccurate as it suggests that it is at once a supplement as well as a copy.

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For PETITIONER

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