

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIVERSAL REMOTE CONTROL, INC.
Petitioner

v.

UNIVERSAL ELECTRONICS, INC.
Patent Owner

Case IPR2013-00127
Patent 6,587,067 C1

Before HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and SCOTT R. BOALICK, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

On August 15, 2013, the following individuals participated in the initial

conference call:¹

(1) Mr. Timothy Bianchi and Mr. Thomas Reynolds, counsel for Universal Remote Control, Inc. (“URC”);

(2) Mr. Eric Maiers, counsel for Universal Electronics, Inc. (“UE”); and

(3) Sally Medley, Howard Blankenship, and Scott Boalick, Administrative Patent Judges.

Motions

In preparation for the initial call, neither party filed a motions list. Counsel for URC and counsel for UE confirmed that neither party seeks to file any motions. However, counsel for UE inquired whether it might be appropriate to file a motion for dismissal of the proceeding based on a showing of prior invention with respect to the prior art references applied against UE.

As explained, a patent owner is provided an opportunity to file a patent owner response to a petition. 35 U.S.C. § 316(a)(8); 37 C.F.R. § 42.120. UE may present a showing of prior invention in that context, and, therefore, separate briefing in the form of a motion to dismiss is not necessary.

Schedule

Counsel for the respective parties indicated that they have no issues with the Scheduling Order (Paper 14) entered July 16, 2013.

¹ The initial conference call is held to discuss the Scheduling Order and any motions that the parties anticipate filing during the trial. Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48765 (Aug. 14, 2012).

Settlement

There was no report of settlement.

Order

It is

ORDERED that no motions are authorized at this time.

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