

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GAME SHOW NETWORK, LLC and WORLDWINNER.COM, INC.
Petitioners

v.

JOHN H. STEPHENSON
Patent Owner

Case IPR2013-00289
Patent 6,174,237

Before SALLY C. MEDLEY, KEVIN F. TURNER, and
BENJAMIN D. M. WOOD, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

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On December 13, 2013, the initial conference call¹ was held between counsel for the respective parties and Judges Medley, Turner, and Wood.

Motions

Neither party seeks authorization to file a motion at this time. A general discussion was had regarding motions to amend. As explained, if Patent Owner determines that it will file a motion to amend, Patent Owner must arrange a conference call soon thereafter with the Board and opposing counsel to discuss the proposed motion to amend. *See* 37 C.F.R. § 42.121(a). For guidance on motions to amend, Patent Owner is directed to the Office Patent Trial Practice Guide motion to amend guidelines, along with the guidelines provided in *Nichia Corporation v. Emcore Corporation*, IPR2012-00005, Paper 27 (June 3, 2013); *Idle Free Systems, Inc. v. Bergstrom, Inc.*, IPR2013-00027, Paper 26 (June 11, 2013); and *ZTE Corporation and ZTE (USA) Inc. v. Contentguard Holdings Inc.*, IPR2013-00136, Paper 33 (November 7, 2014).

The parties were reminded that if they seek authorization to file a motion not contemplated per the Scheduling Order, the party requesting such authorization must arrange a conference call with opposing counsel and the Board.

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

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Schedule

Counsel for the respective parties indicated that they have no issues with the Scheduling Order entered November 19, 2013.

Objections to evidence

Clarification was sought regarding rule 42.64(b)(2), which specifies that a party may respond to an objection of its evidence by serving supplemental evidence within ten business days of service of the objection. Counsel for Petitioner inquired whether the supplemental evidence should be filed with the Board at the same time it is served. The rule does not specify that supplemental evidence be filed at the same time the evidence is served. As explained, a party seeking to file supplemental evidence should arrange a conference call with the Board and opposing counsel to seek authorization to file such supplemental evidence.

Order

It is

ORDERED that no motions are authorized at this time.

Practice Guide, 77 *Fed. Reg.* 48756, 48765 (Aug. 14, 2012).

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