

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CYANOTECH CORPORATION
Petitioner

v.

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS
Patent Owner

Cases IPR2013-00401 and IPR2013-00404 (consolidated)

Patent 5,527,533

Before SCOTT E. KAMHOLZ and SHERIDAN K. SNEDDEN,
Administrative Patent Judges.

KAMHOLZ, *Administrative Patent Judge.*

INITIAL CONFERENCE SUMMARY
Conduct of the Proceeding
37C.F.R. § 42.5

The initial conference call for this proceeding was held on January 6, 2014, between respective counsel for the parties and Judges Kamholz and Snedden.

Cyanotech filed a list of proposed motions, Paper 24, but stated during the call that it does not, at present, intend to file any motions.

The following subjects were discussed during the conference.

Scheduling Order

The parties confirmed that they have agreed, in principle, to change Due Date 1 to March 21, 2014, and to change Due Date 2 to May 21, 2014. We remind the parties that they must file an appropriate Notice with the Board to effect these changes.

Protective Order

We encourage the parties to operate under the Board's default protective order, should that become necessary. *See* Default Protective Order, Office Trial Practice Guide, 77 Fed. Reg. 48,756, App. B (Aug. 14, 2012). If the parties choose to propose a protective order deviating from the default protective order they must submit the proposed protective order jointly. We would appreciate the inclusion of a marked-up comparison of the proposed and default protective orders so that we can readily understand the differences.

Additional Discovery

We encourage the parties to reach agreement on discovery by themselves and invite them to request a conference call with the Board only if they cannot reach agreement regarding specific discovery disputes.

Motions Generally

The parties are reminded that, except as otherwise provided in the Rules or Scheduling Order, Board authorization is required before filing a Motion. 37 C.F.R. § 42.20(b). A party seeking to file a motion should request a conference to

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obtain authorization to file the motion. No motions are authorized in this proceeding at this time.

Motion to Amend

The University indicated its intention not to file a Motion to Amend.

Motions for *Pro Hac Vice* Recognition of Counsel

Cyanotech indicated that it has no objection to the University's motions for *pro hac vice* recognition of Messrs. Werner and Kohlhepp. We will act on those motions in due course.

For PETITIONER:

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For PATENT OWNER:

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