

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TARGET CORPORATION  
Petitioner

v.

DESTINATION MATERNITY CORPORATION  
Patent Owner

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Case IPR2013-00530 (Patent RE43,563 E)  
Case IPR2013-00531 (Patent RE43,563 E)  
Case IPR2013-00532 (Patent RE43,531 E)  
Case IPR2013-00533 (Patent RE43,531 E)<sup>1</sup>

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Before JENNIFER S. BISK, MICHAEL J. FITZPATRICK, and  
MITCHELL G. WEATHERLY *Administrative Patent Judges*.

BISK, *Administrative Patent Judge*.

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

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<sup>1</sup> This Order addresses issues that are identical in the four cases. We therefore exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

Case IPR2013-00530 (Patent RE43,563 E)  
Case IPR2013-00531 (Patent RE43,563 E)  
Case IPR2013-00532 (Patent RE43,531 E)  
Case IPR2013-00533 (Patent RE43,531 E)

A conference call with the Board was held at 2:00 pm Eastern Time on January 9, 2014 between respective counsel for the parties and Judges Bisk and Weatherly. Petitioner requested the call to discuss patent owner's submission of, and reliance on, excerpts of deposition testimony in its preliminary responses. That testimony was taken in a related litigation subsequent to the filing of the petition.

On the call, petitioner requested permission to file additional excerpts from those deposition transcripts along with a reply. Patent Owner objected. Petitioner is authorized to file complete versions of the transcriptions of the depositions in question. However, no additional briefing will be permitted at this time.

On the call, petitioner also brought to the Board's attention a typo on page 49 of the petition in IPR2013-00532.

Accordingly, it is

ORDERED that Target Corporation is authorized to file complete versions of the depositions discussed in the call no later than January 17, 2014.

Case IPR2013-00530 (Patent RE43,563 E)  
Case IPR2013-00531 (Patent RE43,563 E)  
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Case IPR2013-00533 (Patent RE43,531 E)

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