

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARGET CORPORATION
Petitioner

v.

DESTINATION MATERNITY CORPORATION
Patent Owner

Case No. IPR2013-00533
(U.S. Patent No. RE43,531)

Dated: April 9, 2014

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

JOINT MOTION TO ENTER STIPULATED PROTECTIVE ORDER

The parties agree to the Stipulated Protective Order (the “Protective Order”), attached as Exhibit “A” hereto, and respectfully request that it be entered in the above-referenced *Inter Partes* Review proceeding (the “*Inter Partes* Review Proceeding”). For the Board’s convenience, attached as Exhibit “B” is a marked-up version of the Default Protective Order provided in Appendix B of the Office Patent Trial Practice Guide, 77 FR 48756-01 (Aug. 14, 2012), which shows the differences between the parties’ proposed Protective Order and the Default Protective Order.

The proposed revisions made by the parties to the Default Protective Order are intended to harmonize the protective order in this proceeding with the parties’ protective order currently in force in the related district court litigation in the Eastern District of Pennsylvania, which is attached hereto Exhibit “C.” In particular, the revisions endeavor to avoid (1) differences between the protective orders in who may access certain documents; and (2) the expense of re-marking and re-producing documents that were already exchanged between the parties in the related district court litigation.

The parties hereby jointly move the Board for an order entering the Protective Order in this *Inter Partes* Review Proceeding.

Date: April 9, 2014

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CERTIFICATE OF SERVICE

The undersigned certifies that on April 9, 2014, a complete and entire copy of the Joint Motion to Enter Stipulated Protective Order was provided via email to the Petitioner by serving the email correspondence address of record as follows:

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Exhibit A

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