

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

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

STIPULATED NOTICE

As authorized in the Scheduling Orders entered in the above-captioned matter, the parties hereby stipulate and agree to adjust and extend the Scheduling Orders' Due Date 2 from July 14, 2014 to July 25, 2014 and Due Date 3 from August 12, 2014 to August 15, 2014. The modest extension of Due Date 2 will allow for the deposition of Mr. Brookstein, one of Patent Owner's declarants, prior to Due Date 2; Mr. Brookstein is not available for a deposition until July 16, 2014. Additionally, the Board has yet to rule on DMC's Motions to File Supplemental Information, and the depositions of experts "should ordinarily take place after any supplemental evidence relating to the direct testimony has been filed," pursuant to 37 C.F.R. § 42.53(d)(2). The slight extension of Due Date 3 will allow Patent Owner three weeks to prepare its reply to Petitioner's opposition to Patent Owner's motion to amend in IPR2013-00531.

Accordingly, the parties respectfully request the extensions of Due Dates 2 and 3. These short extensions will have minimal impact on the schedule. Petitioner respectfully reserves its right to propose a further extension of Due Date 2 in the above-captioned matter in the event that the Board decides Patent Owner's Motion to File Supplemental Information after June 23, 2014 or in the event that the Board decides to institute trial in IPR2014-00508 and/or IPR2014-00509.

Dated: June 16, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that I caused a true and correct copy of the foregoing document be served via e-mail, as a PDF file attachment, on June 16, 2014 on the following:

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