

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG
Petitioner

v.

ARENDI S.A.R.L.
Patent Owner

Case IPR2014-00214
Patent 8,306,993

Before SALLY C. MEDLEY, TREVOR M. JEFFERSON, and PETER P. CHEN,
Administrative Patent Judges.

MEDLEY, *Administrative Patent Judge.*

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

On January 27, 2014, a conference call was held between counsel for the respective parties and Judges Medley, Jefferson, and Chen. Petitioner requested the conference call to confer regarding Patent Owner's late mandatory notices submission.

IPR2014-00214
Patent 8,306,993

A patent owner must file its mandatory notices within 21 days of service of the petition. 37 C.F.R. § 42.8. Patent Owner filed its mandatory notices several weeks beyond the due date. A late action will be excused on a showing of good cause or upon a Board decision that consideration on the merits would be in the interests of justice. 37 C.F.R. § 42.5(c)(3).

Counsel for Patent Owner explained that his client did not determine who would represent it in the instant proceeding until after the deadline for filing mandatory notices. Counsel for Patent Owner further explained that he had contacted Board personnel and explained why the submission would be late and inquired whether he should file a motion. According to counsel, Board personnel instructed him to file the notice and that no motion was necessary.¹ Based on the facts presented, Patent Owner has shown good cause for excusing the late action.

¹ As explained during the call, Patent Owner should have indicated in its mandatory notice paper that the Board permitted the late filing.

IPR2014-00214
Patent 8,306,993

PETITIONER:

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