

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.
Petitioner

v.

ROBERT BOSCH HEALTHCARE SYSTEMS, INC.
Patent Owner

Case IPR2014-00436
Patent 7,587,469 B2

Before STEPHEN C. SIU, JUSTIN T. ARBES, and MIRIAM L. QUINN,
Administrative Patent Judges.

ARBES, *Administrative Patent Judge.*

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

A conference call in the above proceeding was held on February 19, 2014, among respective counsel for Petitioner and Patent Owner, and Judges Siu, Arbes, and Quinn. The purpose of the call was to discuss Petitioner's petition (Paper 5) to institute an *inter partes* review of claims 1-22 of U.S.

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Patent No. 7,587,469 B2 and motion for joinder (Paper 4) with Case IPR2013-00451 (“the -451 case”), both filed on February 14, 2014.

Patent Owner stated during the call that it intends to oppose the motion for joinder. As discussed during the call, Patent Owner will be permitted to file an opposition to the motion for joinder by March 14, 2014. In its opposition, Patent Owner should address Petitioner’s proposed revised trial schedule on page 8 of the motion and state, if joinder is granted, what schedule Patent Owner would propose. The due date for Patent Owner to file a preliminary response in the instant proceeding, should it choose to do so, will be set to April 4, 2014.

Also, on February 14, 2014, Cardiocom, LLC (the petitioner in the -451 case and a wholly-owned subsidiary of Medtronic, Inc.) filed in the -451 case a motion for joinder with this proceeding. *See* IPR2013-00451, Paper 30. Petitioner acknowledged during the call that it is seeking joinder of this proceeding with the instituted -451 case, not the reverse, and stated that the second motion was filed to make clear that Cardiocom, LLC does not oppose joinder of the two proceedings. Petitioner agreed to withdrawal of the motion in the -451 case.

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner is authorized to file in this proceeding an opposition to Petitioner’s motion for joinder by March 14, 2014, limited to ten pages;

FURTHER ORDERED that no reply is authorized;

FURTHER ORDERED that Patent Owner may file a preliminary response in this proceeding by April 4, 2014;

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FURTHER ORDERED that the motion for joinder in Case IPR2013-00451 (Paper 30) is considered *withdrawn*; and

FURTHER ORDERED that a copy of this Order be entered into the file of Case IPR2013-00451.

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