

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARGET CORPORATION
Petitioner

v.

DESTINATION MATERNITY CORPORATION
Patent Owner

Case No. IPR2014-00509
(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

FAEGRE BAKER DANIELS LLP

s/ Norman J. Hedges

Norman J. Hedges (Reg. No. 44,151)
R. Trevor Carter (Reg. No. 40,549)
Daniel M. Lechleiter (Reg. No. 58,254)
Faegre Baker Daniels LLP
300 N. Meridian Street, Suite 2700
Indianapolis, Indiana 46204-1750
norman.hedges@FaegreBD.com
trevor.carter@FaegreBD.com
daniel.lechleiter@FaegreBD.com
Telephone: 317-237-0300
Facsimile: 317-237-1000

Attorneys for Petitioner, Target Corporation

DLA PIPER LLP (US)

s/ Paul A. Taufer

Paul A. Taufer (Reg. No. 35,703)
Michael L. Burns (Reg. No. 57,593)
DLA Piper LLP (US)
One Liberty Place
1650 Market Street, Suite 4900
Philadelphia, PA 19103
Phone: (215) 656-3385
Facsimile: (215) 606-3385
paul.taufer@dlapiper.com
michael.burns@dlapiper.com

Stuart Pollack (Reg. No. 43,862)
DLA Piper LLP (US)
1251 Avenue of the Americas
27th Floor
New York, NY 10020-1104
Phone: (212) 335-4964
Facsimile: (212) 884-
stuart.pollack@dlapiper.com

Attorneys for Patent Owner, Destination Maternity Corporation

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:

Norman J. Hedges
R. Trevor Carter
Daniel M. Lechleiter
Faegre Baker Daniels LLP
300 N. Meridian Street, Suite 2700
Indianapolis, Indiana 46204-1750
Phone: (317) 237-0300
Fax: (317) 237-1000
Norman.Hedges@FaegreBD.com
trevor.carter@FaegreBD.com
daniel.lechleiter@FaegreBD.com

/s/ Paul Taufer
Paul A. Taufer

Exhibit A

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.