

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EASTMAN KODAK COMPANY, AGFA CORPORATION,
ESKO SOFTWARE BVBA, and HEIDELBERG, USA
Petitioner

v.

CPT INNOVATIONS, LLC,
Patent Owner.

Case IPR2014-00788
Patent 6,738,155 B1

BRIAN J. McNAMARA, *Administrative Patent Judge.*

DENIAL OF REQUEST TO FILE CORRECTED EXHIBIT
WITH LEAVE TO RE-FILE REQUEST

Conduct of the Proceeding

37C.F.R. § 42.5

CPT Innovations LLC (“Patent Owner”) filed its Patent Owner Response (Paper 19) in this proceeding on April 2, 2015. With the Patent Owner Response, Patent Owner filed the Declaration of Dr. Robert L. Stevenson (the “Stevenson Declaration”), as Ex. 2014. On April 3, 2015, Patent Owner filed a Request to File Corrected Exhibit. Paper 20 (“Request”). The Request states that the Stevenson Declaration, as filed on April 2, 2015, inadvertently omitted as an attachment, the curriculum vitae with litigation experience of Dr. Stevenson.

Although Patent Owner’s Request states that a copy of the missing attachment was provided to Petitioner immediately upon discovering its omission, the Request does not indicate that Patent Owner conferred with Petitioner or whether Petitioner intends to oppose Patent Owner’s filing of a corrected Exhibit 2014. Therefore, Patent Owner’s Request is denied. However, Patent Owner is granted leave to re-file its request after conferring with Petitioner. Any re-filed request should state that the parties have conferred and indicate whether Petitioner opposes the request.

In consideration of the above, it is

ORDERED that the Request is DENIED with leave to re-file.

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PETITIONER

Scott McKeown
Michael Kiklis
OBLON, MCCLELLAND, MAIER & NEUSTADT, L.L.P
CPDocketMcKeown@oblon.com
CPDocketKiklis@oblon.com

PATENT OWNER

W. Edward Ramage
L. Clint Crosby
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C.
eramage@bakerdonelson.com
ccrosby@bakerdonelson.com