

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MERCEDES-BENZ USA, LLC and MERCEDES-BENZ U.S.  
INTERNATIONAL, INC.,  
Petitioner,

v.

VELOCITY PATENT LLC,  
Patent Owner.

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IPR2014-01247  
Patent 5,954,781

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Before JAMESON LEE, GLENN J. PERRY, and  
PETER P. CHEN, *Administrative Patent Judges*.

CHEN, *Administrative Patent Judge*.

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

IPR2014-01247  
Patent 5,954,781

Our order of December 19, 2014 (Paper 16) (the “Order”), authorized Patent Owner to file a request to cancel claims 31 and 32 of U.S. Patent No. 5,954,781, and not to (1) argue the effects of having filed a statutory disclaimer, (2) attempt to limit the Board’s reasoning for granting a request to cancel claims, or (3) brief the estoppel effects of the requested cancellation. Patent Owner’s filing dated December 22, 2014 (Paper 17) is not in compliance with the Order. Accordingly, Paper 17 is unauthorized. It is noted that this is the second time Patent Owner has filed an unauthorized paper not complying with a Board order. Further filing of unauthorized papers may lead to imposition of sanctions under 37 C.F.R. § 42.12.

It is

ORDERED that the Paper 17 is unauthorized and will be expunged;  
and

FURTHER ORDERED that if Patent Owner chooses not to file the authorized request to cancel claims 31 and 32, by December 29, 2014, the issues raised by Petitioner in the conference call of December 12, 2014, may need to be revisited in another joint conference call.

IPR2014-01247  
Patent 5,954,781

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