

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

US ENDODONTICS, LLC,
Petitioner,

v.

GOLD STANDARD INSTRUMENTS, LLC
Patent Owner.

Case IPR2015-00632
Patent 8,727,773 B2

Before JOSIAH C. COCKS, HYUN J. JUNG, and
TIMOTHY J. GOODSON, *Administrative Patent Judges*.

COCKS, *Administrative Patent Judge*.

DECISION
Motion to Submit Supplemental Information
37 CFR § 42.123(a)

I. INTRODUCTION

Petitioner, US Endodontics, LLC (“US Endo” or “Petitioner”), filed a “Petitioner’s Motion To Submit Supplemental Information Pursuant to 37 C.F.R. § 42.123(a).” Paper 37 (Motion” or “Mot.”).¹ Patent Owner, Gold Standard Instruments, LLC (“GSI” or “Patent Owner”) represented to the panel that it does not oppose the Motion (*see* Paper 38), and has not filed an opposition to the Motion.

II. DISCUSSION

As we noted in our prior Order (Paper 38), US Endo met the requirements of 37 C.F.R. § 42.123(a) for filing its requested Motion for entry of supplemental information. That supplemental information constitutes the prosecution history of another patent owned by GSI (U.S. Patent No. 8,876,991), which US Endo contends “includes statements that are relevant to the claims for which trial has been instituted.” Mot. 1.

In considering the record before us, including that GSI does not oppose the Motion, we conclude that it is appropriate to enter the relevant supplemental information into this *inter partes* review proceeding. Accordingly, US Endo’s Motion is *granted*.

III. ORDER

It is

ORDERED that the “Petitioner’s Motion To Submit Supplemental Information Pursuant to 37 C.F.R. § 42.123(a)” (Paper 37) is *granted*; and

¹ We authorized US Endo to file the Motion. Paper 38. We also authorized US Endo to file the relevant supplemental information, which has been entered provisionally as Exhibit 1030. *Id.*

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FURTHER ORDERED that the requested supplemental information is entered formally into the record as Exhibit 1030.

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For PETITIONER:

Jeffrey S. Ginsberg
PATTERSON BELKNAP WEBB & TYLER LLP
jginsberg@pbwt.com

For PATENT OWNER:

Joseph Hynds
Randy Brenner-Leifer
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
jhynds@rfem.com
Ebrenner@rothwellfigg.com