

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY,
Petitioner,

v.

PAICE LLC & THE ABELL FOUNDATION, INC.,
Patent Owner.

Case IPR2014-00571¹
Patent 7,104,347 B2

Before SALLY C. MEDLEY, KALYAN K. DESHPANDE, and
CARL M. DEFRANCO, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

¹ This Order addresses the same issues in the *inter partes* reviews listed in the Appendix. Therefore, we issue one Order to be filed in all of the cases. The parties, however, are not authorized to use this style of filing in subsequent papers.

On May 14, 2015, a conference call was held between counsel for the respective parties and Judges Medley, Deshpande, and DeFranco. Patent Owner requested the call to seek authorization to file a motion for sanctions against Petitioner. For the reasons that follow, Patent Owner's request is *denied*.

Petitioner, Ford Motor Company, filed a total of twenty-five petitions on six patents assigned to Patent Owner, Paice LLC & The Abell Foundation, Inc. We instituted review in eight of the proceedings, denied institution in two of the proceedings, and have not decided whether to institute with respect to the remaining fifteen proceedings.

According to Patent Owner, there is considerable overlap in the petitions, such that more than 100 of the involved claims are challenged multiple times. Patent Owner argued that Petitioner's filing of multiple petitions and serial challenges to many of the same claims is inconsistent with the Congressional intent of the Leahy-Smith America Invents Act (AIA) that was designed to protect patent owners from multiple, abusive attacks. Patent Owner seeks leave to file a motion that would request us to refuse to institute review based on the alleged abuse, along with attorney fees.

Petitioner countered that there is nothing in the AIA or the rules that preclude a Petitioner from filing multiple petitions, with multiple challenges of the patented claims. Petitioner also argued that its filings are a focused approach in response to the assertions made by Patent Owner in the related district court case. There, Petitioner argued, the Patent Owner asserts the same five patents, which all together, contain 522 claims.

We determined that briefing is not warranted. We have not yet determined whether we will institute review with respect to several of the

proceedings. Until we make a decision, the requested relief appears to us, to be premature.

Accordingly, we deny Patent Owner's request to file a motion for sanctions against Petitioner.

Order

It is

ORDERED that Patent Owner's request to file a motion for sanctions against Petitioner is *denied*.

PETITIONER

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IPR2014-00571
Patent 7,104,347 B2

PATENT APPENDIX

U.S. Patent No.	<i>Inter Partes</i> Review
7,104,347 B2	IPR2014-00571 IPR2014-00579 IPR2014-00884 IPR2015-00794 IPR2015-00795
7,237,634 B2	IPR2014-00904 IPR2014-01416 IPR2015-00606 IPR2015-00722 IPR2015-00758 IPR2015-00784 IPR2015-00785 IPR2015-00787 IPR2015-00790 IPR2015-00791 IPR2015-00799 IPR2015-00800 IPR2015-00801
7,455,134 B2	IPR2015-00767
7,559,388 B2	IPR2014-00875
8,214,097 B2	IPR2014-00570 IPR2014-01415 IPR2015-00792