

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALLSTEEL INC.,
Petitioner,

v.

DIRTT ENVIRONMENTAL SOLUTIONS LTD.,
Patent Owner.

Case IPR2015-01691
Patent 8,024,901 B2

Before SALLY C. MEDLEY, SCOTT A. DANIELS, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

On September 17, 2018, we authorized the parties to file supplemental briefs for newly instituted claims 8, 11, 13, and 21–23. Paper 47 (“Order”). We set forth the details of the further briefing, along with due dates. *Id.* Petitioner filed its supplemental brief, along with a supplemental declaration of its expert. Paper 48; Ex. 1038.

On October 29, 2018, Patent Owner emailed the Board seeking authorization to file a motion to strike certain portions of Petitioner’s

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supplemental brief and supplemental expert declaration, because Petitioner allegedly failed to comply with our Order. Ex. 3003. Patent Owner's request to file a motion to strike is *denied*.

Patent Owner's supplemental brief is due November 29, 2818. Paper 47. Patent Owner has an opportunity to present any arguments regarding the alleged impropriety of Petitioner's supplemental brief and supporting evidence in Patent Owner's supplemental brief. We determine that having a separate motion, and all that that entails (e.g., an opposition and reply), would not further the goal of securing the just, speedy, and inexpensive resolution of this proceeding. 37 C.F.R. § 41.1(b).

It is:

ORDERED that Patent Owner's request to file a motion to strike is *denied*.

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