

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COSTCO WHOLESALE CORPORATION,
Petitioner,

v.

ROBERT BOSCH LLC,
Patent Owner.

Case IPR2016-00042
Patent 8,544,136

Mailed: October 29, 2015

Before JAMILAH SULTAN, *Trial Paralegal*

NOTICE OF FILING DATE ACCORDED TO PETITION
AND
TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for *inter partes* review, in the above proceeding has been accorded the filing date of October 10, 2015. A review of the petition identified the following defect(s):

Failure to provide copies of all patents and printed publications that Petitioner relies upon in support of the petition. 35 U.S.C. §§ 312(a)(3), 322(a)(3).

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Failure to provide copies of the petition and exhibit(s) to the patent owner. 35 U.S.C. §§ 312(a)(5), 322(a)(5).

Failure to number exhibits properly. 37 C.F.R. § 42.63(c).

Failure to label exhibits properly. 37 C.F.R. § 42.63(d).

Please note, there are several issues with the filed petition including but not limited to, Certificate of Service lists exhibits 1001-1022 were served and all other exhibits (exhibit list included exhibits up to 1028). Please ensure all exhibits were served on the patent owner. Petition references an exhibit that was not uploaded, exhibit numbers overlap and/or are cut off obscuring the view of the correct number, exhibits were mislabeled in the electronic upload.

Petitioner must correct the defect(s) within **FIVE BUSINESS DAYS** from this notice. Failure to correct the defect(s) may result in an order to show cause as to why the Board should institute the trial. No substantive changes (e.g., new grounds) may be made to the petition.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at <http://www.uspto.gov/PTAB>.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition.

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The parties are encouraged to use the heading on the first page of this Notice for all future filings in the proceeding.

The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R.

§ 42.10(c). Such motions shall be filed in accordance with the “Order -- Authorizing Motion *for Pro Hac Vice* Admission” in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site under “Representative Orders, Decisions, and Notices.”

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <http://www.uspto.gov/PTAB>.

If there are any questions pertaining to this notice, please contact Eric W. Hawthorne at 571-272-4643 or the Patent Trial and Appeal Board at 571-272-7822.

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