

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP, INC.,
Petitioner,

v.

MEMJET TECHNOLOGY, LTD.,
Patent Owner.

Case IPR2016-00537
Patent 7,156,492 B2

Before JAMESON LEE and JOHN F. HORVATH,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

DECISION
Conduct of Proceedings
37 C.F.R. § 42.5

A conference call was held on July 1, 2016. The participants were respective counsel for the parties and Judges Lee and Horvath. The parties requested a “stay” of the due date for Patent Owner’s surreply to Petitioner’s reply to Patent Owner’s preliminary response. The surreply is due on July 1, 2016, the day of the conference call. The parties explained that they have reached settlement in the proceeding.

We explained that, generally, settlement discussions should proceed concurrently with actions to be taken in the proceeding. However, given that the parties represent that the settlement papers already have been signed and that all that remains to be done is the filing of a joint motion to terminate, there is sufficient reason to extend the due date of the surreply.

It is

ORDERED that the due date for Patent Owner’s surreply is extended from July 1, 2016, to one business day after any denial of a joint motion to terminate proceeding, provided that the joint motion to terminate proceeding is filed by July 8, 2016;

FURTHER ORDERED that if the parties fail to file by July 8, 2016, a joint motion to terminate proceeding, Patent Owner’s surreply remains due on July 1, 2016; and

FURTHER ORDERED that the parties are authorized to file a joint motion to terminate proceeding, together with a true copy of any agreement or understanding reached in connection with or in contemplation of termination of proceeding. *See* 37 C.F.R. § 42.74(b).

IPR2016-00537
Patent No. 7,156,492 B2

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