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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GENERAL ELECTRIC COMPANY,  
Petitioner,

v.

UNITED TECHNOLOGIES CORPORATION,  
Patent Owner.

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Case IPR2016-00952  
Patent 9,121,412 B2

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Before HYUN J. JUNG, SCOTT A. DANIELS, and  
GEORGE R. HOSKINS, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

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

I. BACKGROUND

In an email dated July 3, 2017, Patent Owner requested authorization to file a motion to strike certain portions of Petitioner's Reply that Patent

Owner believed to be new arguments. Petitioner indicated that it opposed Patent Owner's request in another email dated July 5, 2017.

After considering the request, Patent Owner's request for authorization to file a motion to strike is denied. Patent Owner, however, is authorized to file a notice calling the Board's attention to those portions of Petitioner's Reply that are believed by Patent Owner to raise new issues or belatedly present evidence. We also authorize Petitioner to file a paper in response to Patent Owner's submission in each proceeding.

In rendering a Final Written Decision, the Board will determine what weight, if any, is to be given to all of the presented evidence and arguments in accordance with the rules of the Board.

## II. ORDER

Accordingly, it is ORDERED that Patent Owner is authorized to file a notice of new arguments in the form of a list providing the location and a concise description of any portion of the Petitioner's Reply that Patent Owner wishes to draw to the Board's attention. The paper should not contain argument, is limited to a list of no more than two (2) pages, and should be filed by July 14, 2017.

It is FURTHER ORDERED that Petitioner is authorized to file a response. The response should identify, in an itemized manner, what Petitioner regards as the material contained in the Patent Owner Response that triggered or caused Petitioner to include in its Reply each item listed by Patent Owner and/or where each item listed by Patent Owner appears in the Petition. The paper should not contain argument, is limited to a list of no more than two (2) pages, and should be filed by July 21, 2017.

Case IPR2016-00952  
Patent 9,121,412 B2

PETITIONER:

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