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Paper: 33
Entered: July 17, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

R.J. REYNOLDS VAPOR COMPANY,
Petitioner,

v.

FONTEM HOLDINGS 1 B.V.,
Patent Owner.

Cases IPR2016-01268
Patent 8,365,742 B2

Before BRIAN J. McNAMARA, JEREMY M. PLENZLER, and
JO-ANNE M. KOKOSKI, *Administrative Patent Judges*.

KOKOSKI, *Administrative Patent Judge*.

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

This Order is in response to Petitioner's email dated July 13, 2017, attached. Petitioner seeks to correct certain clerical errors in the Reply (Paper 30) it filed on July 5, 2017. Petitioner represents that Patent Owner does not oppose Petitioner's request.

Specifically, Petitioner requests authorization to make the following corrections to pages 5, 6, 19, 21, 24, 26, and 28 of its Reply:

Page	Citation/Sentence	Corrected Citation/Sentence
5	Ex. 1023 at 84:24-85:4	Ex. 1023 at 41:6-21
6	Ex. 1023, 40:4-13, 48:21-49:14	Ex. 1023, 39:15-40:13, 48:13-49:14
6	Ex. 1023, 88:25-89:11; Ex. 1001 at 5:48-50, Fig 19; Ex. 1027, ¶ 9	Ex. 1001 at 5:48-50, Fig 19; Ex. 1027, ¶ 9
19 (FN2)	Ex. 2016 at 50:8-14.	Ex. 1023 at 115:9-116:14; Ex. 2016 at 50:8-14.
21	Ex. 1012 at 38	Ex. 1012-00038
24	Ex. 1027 at ¶ 55	Ex. 1015 at ¶¶ 56-59; Ex. 1027 at ¶ 55
26	It would have been a simple matter to assembly Hon 043's device ...	It would have been a simple matter to assemble Hon 043's device ...
28 (FN3)	... between the section of cavity wall that has ejection holes 26 and the outlet.	... between the section of cavity wall that has ejection holes 24 and the outlet.

We have reviewed the record and we are persuaded that the asserted errors are typographical. Accordingly, we authorize Petitioner to file, as a paper in this proceeding, an errata sheet identifying the corrections to be made, including the paper number and page number.

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It is

ORDERED that Petitioner is authorized to file, as a paper, an errata sheet identifying the corrections to be made to its Reply (Paper 30), as discussed herein.

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Subject: IPR2016-01268

Dear PTAB,

Petitioner requests authorization to file a motion to correct clerical errors in Petitioner's Reply Brief filed on July 5, 2017 in IPR2016-01268. The basis for the request is summarized below.

On July 5, 2017, Petitioner filed its Reply Brief in IPR2016-01268 (Paper 30). Shortly after filing, Petitioner discovered clerical errors in the Reply Brief. Specifically, Petitioner seeks to correct clerical errors on the following pages:

Page	Citation/Sentence	Corrected Citation/Sentence
5	Ex. 1023 at 84:24-85:4	Ex. 1023 at 41:6-21
6	Ex. 1023, 40:4-13, 48:21-49:14	Ex. 1023, 39:15-40:13, 48:13-49:14
6	Ex. 1023, 88:25-89:11; Ex. 1001 at 5:48-50, Fig 19; Ex. 1027, ¶ 9	Ex. 1001 at 5:48-50, Fig 19; Ex. 1027, ¶ 9
19 (FN2)	Ex. 2016 at 50:8-14.	Ex. 1023 at 115:9-116:14; Ex. 2016 at 50:8-14.
21	Ex. 1012 at 38	Ex. 1012-00038
24	Ex. 1027 at ¶ 55	Ex. 1015 at ¶¶ 56-59; Ex. 1027 at ¶ 55
26	It would have been a simple matter to assembly Hon 043's device ...	It would have been a simple matter to assemble Hon 043's device ...
28 (FN3)	... between the section of cavity wall that has ejection holes 26 and the outlet.	... between the section of cavity wall that has ejection holes 24 and the outlet.

Petitioner asked Patent Owner via email whether Patent Owner would oppose a motion to make the above corrections. Patent Owner indicated via email on July 13, 2017 that it would not oppose Petitioner's motion, and that Patent Owner's counsel is available for a conference call this Friday, July 14, or on Tuesday or Wednesday next week, July 18 or 19. Petitioner is also available for a conference call during those days.

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Petitioner requests a conference to seek authorization to file a motion to correct the above-listed clerical errors in Petitioner's Reply Brief.

Thank you for your consideration.

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