

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, INC.,
Petitioner,

v.

UNIVERSAL SECURE REGISTRY LLC,
Patent Owner.

Case IPR2018-00067
Patent 8,577,813 B2

Before BART A. GERSTENBLITH, SCOTT C. MOORE, and
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

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

Petitioner, Unified Patents, Inc., requested a conference call, seeking authorization to file a motion to correct an error in the Petition. On February 27, 2018, a conference call was held with counsel for the parties and Judges Gerstenblith, Moore, and Melvin.

During the call, counsel for Petitioner stated that the Petition (Paper 2) contains a clerical error in that the discussion of claims 7–10 should have been included in ground 2 rather than ground 1. Those claims depend, directly or indirectly, from claim 6, which is discussed only in ground 2. Paper 2, 30–34, 45–46. Patent Owner objects to Petitioner’s request to file an amended Petition, arguing that it made strategic decisions regarding its Preliminary Response based on the current structure of the Petition and that the correction sought by Petitioner would do more than correct a clerical error. Patent Owner also requests leave to supplement its Preliminary Response in the event the Board permits Petitioner to correct the Petition.

As stated during the conference call, we conclude that good cause exists to grant Petitioner’s request to file a motion to correct. In addition to discussing the basis for the correction sought, the motion and any opposition shall address the scope, timing, and page limits of a potential supplemental preliminary response to the proposed, amended petition. Also as stated during the call, the motion shall include, as an exhibit, a redlined version of the proposed, amended petition, showing the changes from the originally filed petition. The Board does not authorize a reply.

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Accordingly, it is hereby

ORDERED that Petitioner is authorized to file a motion to file a corrected petition, limited to seven pages on or before March 2, 2018;

FURTHER ORDERED that Patent Owner may file an opposition to Petitioner's motion, limited to seven pages on or before March 9, 2018; and

FURTHER ORDERED that the parties set forth in the motion and opposition their respective positions concerning the scope, timing, and page limits of a potential supplemental preliminary response to the proposed, amended petition.

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PETITIONER

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