

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UBER TECHNOLOGIES, INC. AND CHOICE HOTELS  
INTERNATIONAL, INC.  
Petitioner,

v.

FALL LINE PATENTS, LLC  
Patent Owner.

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Case IPR2018-00535  
Patent 9,454,748 B2

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Before MICHELLE N. WORMMEESTER, SHEILA F. McSHANE, and  
JOHN R. KENNY, *Administrative Patent Judges*.

KENNY, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.5(a)*

Via email to the Board, Petitioners contingently requested a conference call to discuss a dispute between the parties regarding the number of words contained in the Petition (Paper 1). In particular, after describing the dispute, Petitioner stated: "If the Board is concerned about the correctness of Uber's certification, Uber requests a conference call to

address Fall Line's allegations."<sup>1</sup> Via a responsive email, Patent Owner disagreed with Petitioners' characterization of the parties' dispute.

Rather than scheduling a conference call, we find that dispute would be better addressed through limited briefing. We further find good cause for such briefing and authorize, but do not require, each party to file a paper of no more than three pages addressing their word-count dispute. If Petitioners wish to address this dispute, Petitioners shall file their authorized paper no later than seven days from the date of this Order. If Patent Owner wishes to respond, Patent Owner shall file its authorized paper no later than fourteen days from the date of this Order. No other papers are authorized, and the authorized papers shall address only the parties' word-count dispute.

We also remind the parties that emails to the Board are for administrative purposes only, and to the extent the parties wish to address or further address their word-count dispute, they must do so in authorized papers. Only discussions contained in authorized papers will be considered.

Therefore, it is ORDERED that:

Each party is authorized, but not required, to file a paper of no more than three pages addressing the parties' dispute regarding the Petition's word count.

If Petitioners wish to address the parties' word-count dispute, Petitioners shall file its authorized paper no later than seven days from the date of this Order.

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<sup>1</sup> Whether Petitioners' certification is correct is of interest. *See* 37 C.F.R. § 42.24 (d).

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If Patent Owner wishes to respond, Patent Owner shall file its authorized paper no later than fourteen days from the date of this Order.

No other papers are authorized, and the authorized papers shall address only the parties' word-count dispute.

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PETITIONER:

Jonathan I. Detrixhe  
Gerard M. Donovan  
REED SMITH, LLP  
[jdetrrixhe@reedsmith.com](mailto:jdetrrixhe@reedsmith.com)  
[gdonovan@reedsmith.com](mailto:gdonovan@reedsmith.com)

PATENT OWNER:

Terry L. Watt  
CROWE & DUNLEVY  
[terry.watt@crowedunlevy.com](mailto:terry.watt@crowedunlevy.com)

Matthew J. Antonelli  
Michael E. Ellis  
Larry D. Thompson, Jr.  
ANTONELLI, HARRINGTON & THOMPSON LLP  
[matt@ahtlawfirm.com](mailto:matt@ahtlawfirm.com)  
[michael@ahtlawfirm.com](mailto:michael@ahtlawfirm.com)  
[larry@ahtlawfirm.com](mailto:larry@ahtlawfirm.com)