

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

L'OREAL USA, INC,
Petitioner,
v.
UNIVERSITY OF MASSACHUSETTS,
Patent Owner.

Case IPR2018-00779
Patent 6,645,513

Before ULRIKE W JENKS, SHERIDAN K. SNEDDEN, and
TINA E. HULSE, Administrative Patent Judges.

JENKS, *Administrative Patent Judge*.

DECISION
Patent Owner's Unopposed Motion for District Court-Type
Claim Constriction
37 C.F.R. § 42.100(b)

On April 19, 2018, Patent Owner filed a motion (Paper 6, “Mot.”) under 37 C.F.R. § 42.100(b) to apply district court-type claim construction provided by *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) in proceedings before the board.

Patent Owner filed the motion within 30 days from filing the petition. Patent Owner certifies that the patent will expire within 18 months from the Notice of Filing Date Accorded to Petition. In addition, Patent Owner represented to the board on April 19, 2018, that Petitioner does not oppose the motion. Because Patent Owner satisfies all the requirements under 37 C.F.R. § 42.100(b), Patent Owner’s motion is granted.

Based on the foregoing, it is hereby

ORDERED that Patent Owner’s motion to apply district court-type claim construction in the proceedings is *granted*.

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Patent 6,645,513

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