

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,
Patent Owner.

Case IPR2018-00952
Patent 9,253,239 B2

Before BRYAN F. MOORE, BRIAN J. McNAMARA, and MINN CHUNG,
Administrative Patent Judges.

CHUNG, *Administrative Patent Judge.*

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

On April 23, 2018, United Patents Inc. (“Petitioner”) filed a Petition (Paper 2, “Pet.”) requesting an *inter partes* review of certain claims of U.S. Patent No. 9,253,239 B2 (“the ’239 patent”). On May 23, 2018, the Board mailed a Corrected Notice of Filing Date Accorded to Petition, setting the due date for Patent Owner’s Preliminary Response to be August 23, 2018. Paper 4, 1.

Patent Owner filed, upon our authorization, an unopposed Motion requesting the due date for Patent Owner’s Preliminary Response be reset to September 24, 2018. *See* Unopposed Motion to Modify Due Date for Patent Owner’s Preliminary Response (Paper 8, “Mot.”), 2.¹ Citing the Certificate of Service in the Petition and copies of the official record for the ’239 patent at the Office, Patent Owner asserts that the Petition was not served at the correspondence address of record for the ’239 patent when the Petition was filed. Mot. 2–3 (citing Pet. 73; Exs. 2001, 2002). Patent Owner indicates that Petitioner does not oppose Patent Owner’s request. *Id.* at 3.

Based on our review of the papers and submitted evidence, we are persuaded that the Petition was not served properly under our rules. *See* 37 C.F.R. §§ 42.105 and 42.106. Accordingly, Patent Owner’s request to modify the due date for Patent Owner’s Preliminary Response is *granted*.

¹ Paper 8, as filed, does not include page numbering as required by our rules. Although the error here is harmless, the parties are reminded to format all papers and exhibits in accordance with 37 C.F.R. §§ 42.6 and 42.63. For purposes of this Order, we refer to the sequential page numbers for Paper 8.

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In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner may file its Preliminary Response by
September 24, 2018. *See* 37 C.F.R. § 42.107(a).

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