

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 Proceedings
37 C.F.R. § 42.5(a)

I. DISCUSSION

With Board authorization, Patent Owner filed an Unopposed Motion to Withdraw Patent Owner's Contingent Motion to Amend (Paper 54) and a Corrected Unopposed Motion to Withdraw Patent Owner's Contingent Motion to Amend (Paper 55, "Motion to Withdraw" or "Mot.").¹ In its Motion to Withdraw, Patent Owner seeks to withdraw Patent Owner's Contingent Motion to Amend (Paper 39). Mot. 1. Patent Owner represents that Petitioner does not oppose the Motion to Withdraw. *Id.*

Although Petitioner has filed its Opposition to Patent Owner's Contingent Motion to Amend (Paper 42) and the parties subsequently exchanged further briefing on the subject (Papers 44, 48, and 52), we have not held an oral hearing and we have not entered a Final Written Decision on the merits in this proceeding.

Under the particular circumstances of this case, we determine good cause exists to grant Patent Owner's Motion to Withdraw. Accordingly, Patent Owner's Unopposed Motion to Withdraw Patent Owner's Contingent Motion to Amend is *granted*. Absent compelling reasons and our specific authorization, the parties may *not* file further papers or present arguments at

¹ Papers 54 and 55 appear to be essentially identical. During the Prehearing Conference held on September 12, 2019, Patent Owner represented that the substantive portions of Papers 54 and 55 are identical and explained that the reason for filing Paper 55 was to correct formatting of the signature block and include a certification on word count pursuant to 37 C.F.R. § 42.24(d). Although Patent Owner did not seek specific authorization to file Paper 55, based on Patent Owner's representation and explanation, we accept Paper 55 as authorized.

the oral hearing in support of or in opposition to Patent Owner's Contingent Motion to Amend.

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner's Corrected Unopposed Motion to Withdraw Patent Owner's Contingent Motion to Amend is *granted*; and

FURTHER ORDERED that the parties may *not* file further papers or present arguments at the oral hearing in support of or in opposition to Patent Owner's Contingent Motion to Amend.

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