

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON U.S.A., INC., GOPRO, INC.,
GARMIN INTERNATIONAL, INC., AND GARMIN USA, INC.,
Petitioners,

v.

CELLSPIN SOFT, INC.,
Patent Owner.

Case IPR2019-00127¹
Patent 9,258,698 B2

Before GREGG I. ANDERSON, DANIEL J. GALLIGAN, and
STACY B. MARGOLIES, *Administrative Patent Judges*.

ANDERSON, *Administrative Patent Judge*.

ORDER
Authorizing Petitioner and Patent Owner
to Each File a Motion to Strike
37 C.F.R. § 42.20(b)

¹ GoPro, Inc., Garmin International, Inc., and Garmin USA, Inc. were joined as parties to this proceeding. Paper 27.

INTRODUCTION

On December 12, 2019, Canon U.S.A., Inc. (“Canon”) and Cellspin Soft, Inc. (“Patent Owner”) each requested authorization to file respective motions to strike under 37 C.F.R. § 42.20(b). *See* Ex. 3001 (parties’ email). Pursuant 37 C.F.R. § 42.21, the Board required Canon and Patent Owner to each file a notice (“Notices”) regarding the specific relief the party requests and the basis for the requested relief. *Id.* On December 18, 2019, each party filed their respective Notices. Paper 33 (Canon’s notice); Paper 35 (Patent Owner’s corrected notice).

DISCUSSION

Upon review of the Notices of the parties, we authorize Canon and Patent Owner each to file a motion to strike consistent with their respective Notices. *See* 37 C.F.R. § 42.21(c)(2). The motions shall be filed on or before January 3, 2020, and Canon and Patent Owner may each file an opposition to the other’s motion by January 10, 2020. The page limits set forth in 37 C.F.R. § 42.24 apply.

For future filings, the parties are reminded to use the caption of the joined proceeding. *See* Paper 27, 32.

ORDER

It is

ORDERED that on or before January 3, 2020, Canon and Patent Owner are each authorized to file a motion to strike consistent with the previously filed Notices;

FURTHER ORDERED that Canon and Patent Owner may each file an opposition to the other party’s motion to strike on or before January 10, 2020;

FURTHER ORDERED that no reply is authorized at this time; and

FURTHER ORDERED that the page limits set forth in 37 C.F.R. § 42.24

IPR2019-00127
Patent 9,258,698

apply.

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