

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,
v.
COREPHOTONICS, LTD.,
Patent Owner.

IPR2020-00905 (Patent 10,255,479 B2)
IPR2020-00906 (Patent 10,255,479 B2)¹

Before BRYAN F. MOORE, JOHN F. HORVATH, and
MONICA S. ULLAGADDI, *Administrative Patent Judges*.

HORVATH, *Administrative Patent Judge*.

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

¹ This Order applies to each of the listed cases. We exercise our discretion to issue one Order to be docketed in each case.

IPR2020-00905 (Patent 10,255,479 B2)

IPR2020-00906 (Patent 10,255,479 B2)

I. INTRODUCTION

On August 26, 2020, Patent Owner, copying counsel for Petitioner, emailed the Board indicating it had (a) filed incorrect versions of its preliminary responses as Paper 7 in IPR2020-00905 (“the ’905 case”) and IPR2020-00906 (“the ’906 case”) due to clerical error, (b) immediately identified that error, and (c) filed correct versions of its preliminary responses in each of these cases as Paper 8. *See* Ex. 3001. Patent Owner requests “the incorrect filings [be] expunged in each case,” and avers that counsel for Petitioner has indicated it would “not take a position one way or another on this issue.” *Id.*

II. DISCUSSION

Upon review of the dockets in the ’905 and ’906 cases, it appears Patent Owner initially and timely filed the preliminary response intended for the ’906 case in each of the ’905 and ’906 cases. *Compare* IPR2020-00905, Paper 7 *with* IPR2020-00906, Paper 7. Recognizing this error, Patent Owner timely filed the preliminary response intended for the ’905 case in the ’905 case. *See* IPR2020-00905, Paper 8. Patent Owner also filed a modified version of the preliminary response intended for the ’906 case in the ’906 case, the only modification appearing to be a formatting correction to § IV of the Table of Contents. *Compare* IPR2020-00906, Paper 7 *with id.*, Paper 8.

Under the circumstances presented, as explained above, we consider it appropriate to expunge Paper 7 in each of the ’905 and ’906 cases.

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III. ORDER

It is hereby:

ORDERED that Paper 7 in IPR2020-00905 be *expunged*; and

FURTHER ORDERED that Paper 7 in IPR2020-00906 be *expunged*.

IPR2020-00905 (Patent 10,255,479 B2)

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