

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BAYERISCHE MOTOREN WERKE, AKTIENGESELLSCHAFT &  
BMW OF NORTH AMERICA, LLC,  
Petitioner,

v.

PAICE LLC & THE ABELL FOUNDATION, INC.,  
Patent Owner.

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IPR2020-00994  
Patent 7,104,347 B2

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Before SALLY C. MEDLEY, KALYAN K. DESHPANDE, and  
ARTHUR M. PESLAK, *Administrative Patent Judges*.

PESLAK, *Administrative Patent Judge*.

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

A conference call was held on June 2, 2021 between Judges Peslak, Medley, and Deshpande and counsel for Petitioner and Patent Owner to discuss rescheduling the oral hearing for this case and Patent Owner's request for authorization to strike portions of Petitioner's Reply.

The Scheduling Order in this case set an oral hearing date of August 19, 2021. Paper 20, 11. With mutual consent of the parties, the oral hearing date is hereby reset to August 25, 2021.

After consideration of the arguments of the parties concerning Patent Owner's request for authorization to file a Motion to Strike, the request is denied. In lieu of a Motion to Strike, Patent Owner may file a paper as set forth below.

It is:

ORDERED that no later than June 9, 2021, Patent Owner may file a 3 page paper, without legal argument, specifically identifying arguments and/or evidence filed with the Petitioner Reply that Patent Owner contends is beyond the proper scope of the Petitioner Reply;

FURTHER ORDERED that no later than June 16, 2021, Petitioner may file a 3 page response, without legal argument, identifying issues raised in the Patent Owner Response or our Decision on Institution (Paper 19) to which the evidence and/or arguments identified by Patent Owner purportedly responds;

FURTHER ORDERED that no additional briefing is authorized; and

FURTHER ORDERED that the oral hearing is reset to August 25, 2021.

IPR2020-00994  
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