

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTERMIX MEDIA, LLC,
Petitioner,

v.

BALLY GAMING, INC.,
Patent Owner.

Case CBM2015-00154
Patent 5,816,918

Before MICHAEL P. TIERNEY, PATRICK R. SCANLON, and
HYUN J. JUNG, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

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

On February 18, 2016, a conference call was held among counsel for petitioner Intermix Media, LLC (“Petitioner”), counsel for patent owner Bally Gaming, Inc., and Judges Tierney, Scanlon, and Jung. Petitioner requested the conference to seek authorization to file a motion for joinder concurrently with a request for rehearing of our decision denying institution (Paper 10) in this proceeding. Petitioner also sought authorization to file a motion for withdrawal of present back-up counsel.

After considering the parties’ positions, we do not authorize Petitioner to file a motion for joinder at this time. In the event that the rehearing request is granted and a covered business method patent review is instituted in this proceeding, Petitioner may again seek authorization to file a motion for joinder.

Accordingly, it is:

ORDERED that Petitioner is not authorized to file a motion for joinder, and

FURTHER ORDERED that Petitioner is authorized to file a motion to withdraw back-up counsel.

CBM2015-00154
Patent 5,816,918

For PETITIONER:

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