

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AUTEL U.S. INC. and AUTEL INTELLIGENT TECHNOLOGY CO. LTD.,
Petitioner,

v.

BOSCH AUTOMOTIVE SERVICE SOLUTIONS LLC,
Patent Owner.

Case IPR2014-00183
Patent 6,904,796 B2

Before JOSIAH C. COCKS, SHERIDAN K. SNEDDEN, and
SCOTT A. DANIELS, *Administrative Patent Judges*.

COCKS, *Administrative Patent Judge*.

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

1. Introduction

On September 4, 2014, a conference call was conducted between respective counsel for the parties and Judges Cocks, Snedden, and Daniels. Autel U.S. Inc. and Autel Intelligent Technology Co. Ltd. (“Petitioner”) was represented by counsel John Smith. Bosch Automotive Service Solutions LLC (“Patent Owner”) was represented by counsel Timothy McCarthy. Patent Owner requested the call to seek leave to file the following motion: Patent Owner’s Motion to Supplement the Declaration of Patrick Pierce and the Amended Motion to Seal.

2. Discussion

During the conference call, Patent Owner indicated that the original Declaration of Patrick Pierce filed July 11, 2014 (Ex. 2007) makes reference to a licensing agreement concerning U.S. Patent 6,904,796, which, at that time, was under negotiation. Patent Owner informed the panel that as of around August 13th or 14th, the licensing agreement had been finalized, and Patent Owner desired to update Mr. Pierce’s Declaration to indicate the current status of the noted licensing agreement, and to file a copy of the licensing agreement. Patent Owner also indicated that it seeks to supplement the Amended Motion to Seal (Paper 28) to request that certain provisions of the licensing agreement be maintained as confidential.

Petitioner opposed Patent Owner’s request on the basis that the time to file its reply to Patent Owner’s Response is rapidly approaching (Due Date 2, currently September 12, 2014), and that the licensing agreement may be cumulative to information already of record, and thus of limited value to the panel. In response to the Petitioner’s comments on the call, Patent Owner indicated that it was

amenable to stipulating to a revised Due Date 2, so as to afford Petitioner adequate time for any reply that it intends to file.

After a brief conferral, the panel authorized Patent Owner to file its requested motion. The panel is mindful of the scheduling in this proceeding, and encourages the parties to work together to reach mutual agreement concerning any necessary changes to Due Date 2. The panel also indicated that it did not discern any prejudice to Petitioner in authorizing Patent Owner to file its motion, and can determine whether any content associated with that filing is cumulative.

3. Order

It is

ORDERED that Patent Owner is authorized to file: Patent Owner's Motion to Supplement the Declaration of Patrick Pierce and the Amended Motion to Seal.

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PETITIONER:

John G. Smith
Zhun Lu
Novak Druce Connolly Bove + Quigg LLP
Autel00183@dbr.com
zhun.lu@novakdruce.com

PATENT OWNER:

Timothy M. McCarthy
Clark Hill PLC
tmccarthy@clarkhill.com

John E. Berg
Clark Hill PLC
jberg@clarkhill.com