

Trials@uspto.gov

Tel: 571-272-7822

Paper 23, IPR2014-00935

Paper 25, IPR2014-00936

Paper 28, IPR2014-00938

Entered: January 14, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLEMAN CABLE, LLC, JIAWEI TECHNOLOGY (HK) LTD., JIAWEI
TECHNOLOGY (USA) LTD., SHENZHEN JIAWEI PHOTOVOLTAIC
LIGHTING CO, LTD., ATICO INTERNATIONAL (ASIA) LTD., ATICO
INTERNATIONAL USA, INC., SMART SOLAR, INC., AND TEST RITE
PRODUCTS CORP.,
Petitioner,

v.

SIMON NICHOLAS RICHMOND,
Patent Owner.

Cases

IPR2014-00935 (Patent 8,089,370 B2)

IPR2014-00936 (Patent 7,196,477 B2)

IPR2014-00938 (Patent 7,429,827 B2)

Before WILLIAM V. SAINDON, JUSTIN T. ARBES, and
BARRY L. GROSSMAN, *Administrative Patent Judges.*

GROSSMAN, *Administrative Patent Judge.*

INITIAL CONFERENCE SUMMARY
Conduct of the Proceeding
37C.F.R. § 42.5

An initial conference in the subject proceedings was conducted on January 12, 2015. Petitioner was represented by Mark Nelson. Patent Owner was represented by Theodore Shiells. The following subjects were discussed during the conference.

1. Scheduling Order

Neither Petitioner nor Patent Owner stated that they were aware of problems or conflicts with the Scheduling Order. Lead Counsels for Petitioner and for Patent Owner do not have any conflict with the date scheduled for oral argument, which is September 21, 2015.

2. Motions

Petitioner stated that it did not contemplate filing any motions in this proceeding. Petitioner stated, however, that it plans to file an additional petition and also to file a motion to join the new petition with Case IPR2014-00938.

Patent Owner identified several potential motions that may be filed, including, but not limited to, a motion to amend, a motion to seal, and a motion to expunge.

Although Board authorization is not required for Patent Owner to file one motion to amend the patent by cancelling or substituting claims, we remind Patent Owner of the requirement to request a conference with the Board before filing a motion to amend. 37 C.F.R. § 42.121(a). The conference should take place at least two weeks before filing the motion to amend.

Board authorization is required prior to filing a motion to expunge.

3. Protective Order

The parties were reminded that no protective order has been entered in this proceeding. A protective order does not exist in a case until one is filed

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in the case and is approved by the Board. If a motion to seal is filed by either party, the proposed protective order should be presented as an exhibit to the motion. The parties are urged to use the Board's default protective order, should the need for a protective order become necessary. Office Trial Practice Guide, 77 Fed. Reg. 48756, App. B (Aug. 14, 2012). If a protective order other than or departing from the default protective order is proposed, the parties must submit the proposed protective order, accompanied by a red-lined version based on the default protective order in Appendix B.

PETITIONER:

Mark Nelson
Lissi Mojica
Keven Greenleaf
Daniel Valenzuela
Dimitry Kapmar
DENTONS US LLP
mark.nelson@dentons.com
lissi.mojica@dentons.com
keven.greenleaf@dentons.com
daniel.valenzuela@dentons.com
dimitry.kapmar@dentons.com

PATENT OWNER:

Theodore Shiells
SHIELLS LAW FIRM, P.C.
tfshiells@shiellslaw.com

Marcus Benavides
THE LAW PRACTICE OF MARCUS BENAVIDES
marchusb@tlpmb.com