

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CAPTIONCALL, L.L.C.,
Petitioner,

v.

ULTRATEC, INC.,
Patent Owner.

Cases¹

IPR2015-00636 (Patent 8,917,822) IPR2015-00637 (Patent 8,908,838)
IPR2015-01355 (Patent 5,974,116) IPR2015-01357 (Patent 6,934,366)
IPR2015-01358 (Patent 7,006,604) IPR2015-01359 (Patent 6,493,426)
IPR2015-01886 (Patent 7,881,441) IPR2015-01889 (Patent 9,131,045)

Before WILLIAM V. SAINDON, BARBARA A. BENOIT, and
LYNNE E. PETTIGREW, *Administrative Patent Judges.*

BENOIT, *Administrative Patent Judge.*

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

¹ This Order addresses issues that are similar in the cases. We exercise our discretion to issue one order to be filed in each case.

IPR2015-00636 (Patent 8,917,822)	IPR2015-00637 (Patent 8,908,838)
IPR2015-01355 (Patent 5,974,116)	IPR2015-01357 (Patent 6,934,366)
IPR2015-01358 (Patent 7,006,604)	IPR2015-01359 (Patent 6,493,426)
IPR2015-01886 (Patent 7,881,441)	IPR2015-01889 (Patent 9,131,045)

On May 11, 2016, Patent Owner (Ultratec, Inc.) contacted the Board by email with a request to make corrections to the record in IPR2015-00636, IPR2015-00637, IPR2015-01355, IPR2015-01357, IPR2015-01358, IPR2015-01359, IPR2015-01886, and IPR2015-01889. These proceedings involve the same Petitioner (CaptionCall, L.L.C.) and have overlapping issues.

Patent Owner seeks authorization to file errata sheets correcting citations in Patent Owner’s Motions to Dismiss and corresponding Reply briefs. Patent Owner indicates that these additional corrections were identified when preparing errata sheets previously requested by Patent Owner and authorized in our order entered on May 4, 2016. *See, e.g., IPR2015-01358, Paper 45.* In addition, Patent Owner seeks leave to correct citation errors in Patent Owner’s Motions to Dismiss in IPR2015-00636 and IPR2015-00637 that we identified during oral argument in IPR2015-00636 and IPR2015-00637. Specifically, Patent Owner seeks to file errata sheets to correct the citation errors set forth in the chart below:

Mis-Citation	Corrected Citation	Affected IPRs
Ex. 2081 at 12 (<i>Motion to Dismiss at 5</i>)	Ex. 2082 at 12.	IPR2015-00636, -00637, -01355, -01357, -01358, -01359, -01886, -01889
Ex. 2077 (<i>Reply at 3</i>)	Ex. 2074	IPR2015-00636, -00637
Ex. 2085 (first citation) (<i>Reply at 6</i>)	Ex. 2091	IPR2015-00636, -00637, -01355, -01357, -01358, -01359, -01886, -01889
Ex. 2093 (<i>Reply at 6</i>)	Ex. 2106	IPR2015-00636, -00637

Patent Owner represents that Petitioner does not object to Patent Owner’s filing any of these errata sheets.

IPR2015-00636 (Patent 8,917,822) IPR2015-00637 (Patent 8,908,838)
IPR2015-01355 (Patent 5,974,116) IPR2015-01357 (Patent 6,934,366)
IPR2015-01358 (Patent 7,006,604) IPR2015-01359 (Patent 6,493,426)
IPR2015-01886 (Patent 7,881,441) IPR2015-01889 (Patent 9,131,045)

In view of the “public interest in maintaining a complete and understandable file history for public notice purposes,” we grant Patent Owner’s requests. Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,761 (Aug. 14, 2012). Patent Owner is to complete the requested filings no later than 3 p.m. ET on May 16, 2016.

FOR PETITIONER:

Todd E. Landis
Eric J. Klein
Ruben Munoz
Akin Gump Strauss Hauer & Feld LLP
tlandis@akingump.com
eklein@akingump.com
rmunoz@akingump.com

FOR PATENT OWNER:

Michael Jaskolski
Michael J. Curley
Martha Jahn Snyder
Nikia L. Gray
Stephen J. Gardner
Quarles & Brady, LLP
michael.jaskolski@quarles.com
michael.curley@quarles.com
martha.snyder@quarles.com
nikia.gray@quarles.com
stephen.gardner@quarles.com