

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CAPTIONCALL, L.L.C.,
Petitioner,

v.

ULTRATEC, INC.,
Patent Owner.

Cases

IPR2015-01355 (Patent 5,974,116)
IPR2015-01357 (Patent 6,934,366)
IPR2015-01358 (Patent 7,006,604)
IPR2015-01359 (Patent 6,493,337)

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

SAINDON, *Administrative Patent Judge*.

ORDER
Preserving Record for Appeal
37 C.F.R. § 42.5

IPR2015-01355 (Patent 5,974,116)
IPR2015-01357 (Patent 6,934,366)
IPR2015-01358 (Patent 7,006,604)
IPR2015-01359 (Patent 6,493,337)

Sealed information will ordinarily become public 45 days after final judgment in a trial unless a motion to expunge is filed. 37 C.F.R. § 42.56; 77 Fed. Reg. 48,756, 48,761 (Aug. 14, 2012) (Office Patent Trial Practice Guide). The time for filing a notice of appeal with the Director of the United States Patent and Trademark Office is no later than 63 days after the date of the final Board decision. 37 C.F.R. § 90.3. A Final Written Decision in IPR2015-01358 was issued on December 9, 2016. Final Written Decisions in IPR2015-01355, -01357, and -01359 were issued on December 14, 2016. In an email dated January 19, 2017, Patent Owner requested authorization to file a Motion to Preserve the Record in the above-identified cases. Patent Owner indicated that Petitioner would not oppose Patent Owner's Motions. On January 20, 2017, Patent Owner filed an authorized Motion to Preserve the Record Pending Appeal in IPR2015-01358 (Paper 76).

ORDER

In view of the foregoing, it is hereby:

ORDERED that the records in IPR2015-01355, -01357, -01358, and -01359 will be preserved for appeal, and that sealed documents will remain under seal at least until at least 45 days after the expiration of any period for appeal or, if an appeal is taken, 45 days after the appeal process has concluded;

FURTHER ORDERED that the parties are each authorized to file a Motion to Expunge Confidential Information after the expiration of any

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IPR2015-01359 (Patent 6,493,337)

period for appeal or, if an appeal is taken, after the appeal process has concluded; and

FURTHER ORDERED that Patent Owner's Motion to Preserve the Record Pending Appeal in IPR2015-01358 is dismissed as moot.

FOR PETITIONER:

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