

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner,

v.

VEDANTI SYSTEMS LIMITED,
Patent Owner.

Case IPR2016-00212¹
Patent 7,974,339 B2

Before MICHAEL R. ZECHER, JUSTIN T. ARBES, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

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

On November 4, 2016, Petitioner sent an email to Trials@uspto.gov seeking a conference call to request an increased word count limit of 9,200 words for its Reply. Because this is a consolidated proceeding, we previously increased, at Patent Owner's request, the word count limit for

¹ Case IPR2016-00215 has been consolidated with this proceeding.

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Patent Owner's Response from 14,000 to 23,000 words. *See* Paper 15, 84 (noting the 23,000 word count limit authorized by the panel in an email dated June 2, 2016). Petitioner notes this was a 64% increase over the normal word count limit. *See* 37 C.F.R. § 42.24(a)(1)(i), (b)(2). Petitioner further notes that it is requesting a matching increase of 64% for the Reply—from the regular limit of 5,600 words to 9,200 words. *See* 37 C.F.R. § 42.24(c)(1).

Petitioner represents that Patent Owner would only “agree[] to a word count . . . of no more than 8000 words based on Patent Owner's contention that its Patent Owner Response as filed contained only 19,387 words, an increase of 39% over the normally allotted 14,000 words.”

Under these circumstances, we find good cause to grant Petitioner's request to increase the word count limit for its Reply to 9,200 words. *See* 37 C.F.R. § 42.5. Petitioner's request for a proportionate increase in the number of words for its Reply is reasonable, and we are not persuaded that Petitioner should be limited just because Patent Owner chose not to use its entire allotment of words in its Patent Owner Response. *See* 37 C.F.R. § 42.24(c)(1) (specifying the normal word limit for replies regardless of how many words a patent owner actually uses in a corresponding patent owner response). No conference call is necessary at this time.

In consideration of the foregoing, it is hereby:

ORDERED that, pursuant to our authority under 37 C.F.R. § 42.5(b), the word count limit for Petitioner's Reply is reset to 9,200 words.

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PETITIONER:

Michael V. Messinger
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
mikem-PTAB@skgf.com

Michelle K. Holoubek
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
mholoubek-PTAB@skgf.com

PATENT OWNER:

Robert M. Asher
SUNSTEIN KANN MURPHY & TIMBERS LLP
rasher@sunsteinlaw.com

John J. Stickevers
SUNSTEIN KANN MURPHY & TIMBERS LLP
jstickevers@sunsteinlaw.com