

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PACIFIC SURF DESIGNS, INC.,  
Petitioner,

v.

Patent Owner of U.S. Patent 6,491,589.

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Case IPR2016-01674  
Patent 6,491,589

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Before PHILLIP J. KAUFFMAN, WILLIAM V. SAINDON, and  
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

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

Case IPR2016-01674  
Patent 6,491,589 B1

Counsel for Petitioner, Pacific Surf Designs, Inc., contacted the Board via email on January 11, 2017, informing us that the United States District Court for the Southern District of California recently issued a Claim Construction Order construing claims of U.S. Patent Nos. 6,491,589 and 8,088,016. Counsel requests guidance regarding whether Petitioner should submit the Claim Construction Order for the Board's consideration. We authorize Petitioner to file the district court's order as an exhibit in this case, without any associated briefing or argument. We request that Petitioner file the order promptly.

Accordingly, it is:

ORDERED that Petitioner is authorized to file the Claim Construction Order from *Flowrider Surf, Ltd. v. Pacific Surf Designs, Inc.*, Case No. 15cv1879 (S.D. Cal.), as an exhibit in this proceeding.

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