

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner
v.

BRADIUM TECHNOLOGIES, INC.
Patent Owner.

Case IPR2016-01897
Patent 9,253,239 B2

BRYAN F. MOORE, BRIAN J. McNAMARA, and MINN CHUNG,
Administrative Patent Judges.

McNAMARA, *Administrative Patent Judge.*

ORDER
AMENDING SCHEDULING ORDER
Conduct Of The Proceeding (37 C.F.R. § 42.5)
and
AUTHORIZING MOTION FOR ADDITIONAL DISCOVERY
37 C.F.R. § 42.54

On June 29, 2017 the parties submitted by e-mail a joint request for a teleconference. Bradium Technologies, Inc. (“Patent Owner”) seeks to amend the Scheduling Order (Paper 18, entered on April 5, 2017) to extend Due Date 1 (the date for filing a Patent Owner Response) from July 7, 2017 to August 1, 2017 and Due Date 2 (the date for Microsoft, Inc. (“Petitioner”), to file a Petitioner Reply) from October 9, 2017 to November 3, 2017. Petitioner opposes Patent Owner’s proposed date extensions.

At the same time, citing 37 C.F.R. § 42.54, Petitioner requests authorization to seek a Letter of Request to take a deposition of co-inventor Yonatan Lavi pursuant to the Hague convention. Patent Owner opposes authorization for Petitioner to file such a motion.

In view of the circumstances, the parties’ request for a teleconference is denied and we grant Petitioner’s and Patent Owner’s requests.

In consideration of the above it is

ORDERED that Due Date 1 is moved to August 1, 2017 and Due Date 2 is moved to November 3, 2017; and

FURTHER ORDERED that Petitioner is authorized to file a Motion for Additional Discovery under 37 C.F.R. 42.54 to seek a Letter of Request to take the deposition of co-inventor Lavi, such motion to be filed by July 14, 2017.

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