

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AXON ENTERPRISE, INC.,
Petitioner,

v.

DIGITAL ALLY, INC.,
Patent Owner.

IPR2017-00375
Patent 8,781,292 B1

Before PHILLIP J. KAUFFMAN, MINN CHUNG, and
ROBERT L. KINDER, *Administrative Patent Judges*.

KAUFFMAN, *Administrative Patent Judge*.

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

Patent Owner seeks to file a Notice of Supplemental Authority to bring a case¹ to our attention and to identify those portions of Patent Owner's Response and Petitioner's Motion to Amend that may be impacted. Patent Owner does not see to make substantive comments. Patent Owner represents that Petitioner opposes Patent Owner's request.

We acknowledge the citation provided by Patent Owner, and when making our Final Written Decision, we will rely on that authority as applicable.

ORDER

We grant Patent Owner's request in that we acknowledge the cited authority. We deny Patent Owner's request to file a list of where that authority may be applicable to Patent Owner's Response and Petitioner's Motion to Amend and instead make that determination ourselves.

¹ *Polaris Industries, Inc. v. Arctic Cat, Inc.*, 2016-1807, 2016-2280, 2018 WL 797462 (Fed. Cir. Feb. 9, 2018)

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