

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHENZHEN KEAN SILICONE PRODUCT CO., LTD.,
Petitioner,

v.

PKOH NYC, LLC,
Patent Owner.

Case IPR2017-01327
Patent 7,959,036 B2

Before MITCHELL G. WEATHERLY, JAMES A. TARTAL,
and ROBERT L. KINDER, *Administrative Patent Judges*.

KINDER, *Administrative Patent Judge*.

DECISION

Conduct of the Proceeding

Authorizing Joint Motion to Limit Proceeding
37 C.F.R. § 42.5 and 37 C.F.R. § 42.20

On April 30, 2018, we issued an order modifying our Decision on Institution (Paper 14) to institute on all of the challenged claims and all of the grounds presented in the Petition (Paper 1). Paper 19 (Order modifying Decision on Institution).

On May 9, 2018, we conducted a conference call with counsel for the parties (Mr. Xiyan Zhang and Mr. Pete Wolfgram for Petitioner and Mr. Tod Melgar for Patent Owner) and Judges Weatherly, Tartal, and Kinder. During this call, the parties expressed an intent to limit the Proceeding only to the following grounds and claims that we instituted on December 6, 2017, in our Decision on Institution:

Reference	Basis	Claim(s)
Cho	§ 103	1, 2, 14, 21, 22, 24, and 26
Cho and Mueller	§ 103	1, 3–6, 10–13, 20, and 28–32
Cho, Mueller, and Rohr	§ 103	31, 32, and 35–38
Cho and Raja	§ 103	7
Cho and Trecek	§ 103	24 and 26

Paper 14, 44.

Limiting the proceeding as proposed by the parties facilitates the Board's goal of resolving this *inter partes* review in a just, speedy, and inexpensive manner. *See* 37 C.F.R. § 42.1(b). Accordingly, we authorize the parties to file, within one week of the date of this Order, a Joint Motion to Limit Proceeding. *See, e.g., Apotex Inc., v. OSI Pharms., Inc., Case IPR2016-01284 (PTAB Apr. 3, 2017) (Paper 19) (granting, after institution, a joint motion to limit the petition by removing a patent claim that was included for trial in the institution decision).* The parties should detail in the motion the grounds, and claims for each ground, that remain to be decided by final decision.

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In consideration of the foregoing, it is hereby:

ORDERED that the parties are authorized to file, within one week of the date of this Order, a Joint Motion to Limit Proceeding to the grounds and claims instituted on December 6, 2017, in the Decision on Institution.

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