

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SPTS TECHNOLOGIES LTD.,
Petitioner,

v.

PLASMA-THERM LLC,
Patent Owner.

Case IPR2017-01674
Patent 8,802,545 B2

Before WILLIAM V. SAINDON, ELIZABETH M. ROESEL, and
AMANDA F. WIEKER, *Administrative Patent Judges*.

WIEKER, *Administrative Patent Judge*.

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

A conference call was held on Thursday, March 29, 2018, among Harvey Kauget and Ryan Corbett, counsel for Patent Owner; Adam Volentine, counsel for Petitioner; and Administrative Patent Judges Saindon, Roesel, and Wieker. The purpose of the call was to discuss Patent Owner's intention to file a contingent motion to amend and, thus, to satisfy its duty to confer as required by 37 C.F.R. § 42.121(a).

During the call, we reminded the parties that a motion to amend is authorized by 35 U.S.C. § 316(d), and is further regulated in 37 C.F.R. § 42.121. Patent Owner's Motion to Amend must comply with these provisions.

Furthermore, as set forth in 37 C.F.R. § 42.24, Patent Owner's Motion to Amend, and Petitioner's Opposition thereto, are limited to twenty-five (25) pages. 37 C.F.R. §§ 42.24(a)(1)(vi), 42.24 (b)(3). Patent Owner's Reply thereto is limited to twelve (12) pages. *Id.* § 42.24(c)(3). Pursuant to our Scheduling Order, these papers must be filed by April 12, July 12, and August 13, 2018, respectively. Paper 8, 7; *see also id.* at 2 (authorizing the parties to stipulate to alter these dates, and requiring notice to the Board).

Counsel for Patent Owner and counsel for Petitioner indicated that they did not have any questions for the panel regarding amendment practice.

ORDER

Accordingly, in consideration of the foregoing, it is hereby:

ORDERED that Patent Owner has satisfied its obligation, pursuant to 37 C.F.R. § 42.121(a), to confer with the Board prior to filing a motion to amend.

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