

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIMFROST AS.,
Petitioner,

v.

AKER BIOMARINE ANTARCTIC AS,
Patent Owner.

Case No. IPR2018-01730
Patent 9,072,752 B2

Before TINA E. HULSE and JOHN E. SCHNEIDER, *Administrative Patent Judges.*

SCHNEIDER, *Administrative Patent Judge.*

ORDER
Conduct of the Proceeding
37 C.F.R. §§ 42.5 and 42.121(a)

On May 30, 2019, a conference call was held among counsel for the parties and Judges Hulse and Schneider to discuss general guidance for motions to amend.

We explained that the requirements for a motion to amend are set forth in 37 C.F.R. § 42.121. We referred the parties to that rule and to the Memorandum re: Guidance on Motions to Amend in view of *Aqua Products* (Nov. 21, 2017) (available at https://www.uspto.gov/sites/default/files/documents/guidance_on_motions_to_amend_11_2017.pdf).

We also referred the parties to additional guidance on motions to amend discussed in the following precedential cases: *Lectrosonics, Inc. v Zaxcom, Inc.*, Case IPR2018-01129, 01130 (PTAB Feb. 25, 2019) (Paper 15) (precedential), and *Amazon.com, Inc. v. Uniloc Luxembourg S.A.*, Case IPR2017-00948 (PTAB Jan. 18, 2019) (Paper 34) (precedential).

Furthermore we explained, as set forth in 37 C.F.R. § 42.24, that Patent Owner's motion to amend and Petitioner's opposition are each limited to twenty-five pages. 37 C.F.R. §§ 42.24(a)(1)(vi), 42.24(b)(3). Patent Owner's reply and Petitioner's sur-reply are limited to twelve pages. *Id.* § 42.24(c)(3). Pursuant to the Scheduling Order, the papers are currently due on June 17, September 16, October 15, and November 15, 2019, respectively. Paper 8. If the parties wish to stipulate to different deadlines, the parties may do so. *Id.* at 5 ("The parties may stipulate to different dates for DUE DATES 1 through 5 (earlier or later, but no later than DUE DATE 6).").

IPR2018-01730
Patent 9,072,752 B2

In consideration of the foregoing, it is hereby:

ORDERED that the conference requirement under 37 C.F.R.

§ 42.121(a) is hereby satisfied.

PETITIONER:

James F. Harrington
Michael I. Chakansky
Ronald J. Baron
John T. Gallagher
HOFFMANN & BARON, LLP
jfhdocket@hbiplaw.com
mchakansky@hbiplaw.com
rbaron@hbiplaw.com
jgallagher@hbiplaw.com
jtgdocket@hbiplaw.com

PATENT OWNER:

David A. Casimir
J. Mitchell Jones
CASIMIR JONES S.C.
dacasimir@casimirjones.com
jmnjones@casimirjones.com
docketing@casimirjones.com