

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRECISION PLANTING, LLC and AGCO CORP.,
Petitioner,

v.

DEERE & COMPANY,
Patent Owner.

Case IPR2019-01044 (Patent 8,813,663)
Case IPR2019-01046 (Patent 9,480,199)
Case IPR2019-01047 (Patent 9,510,502)
Case IPR2019-01048 (Patent 9,686,906)
Case IPR2019-01050 (Patent 9,807,922)
Case IPR2019-01051 (Patent 9,807,924)
Case IPR2019-01052 (Patent 9,820,429)
Case IPR2019-01053 (Patent 9,861,031)
Case IPR2019-01054 (Patent 10,004,173)
Case IPR2019-01055 (Patent 9,699,955)¹

Before MICHAEL W. KIM, BARRY L. GROSSMAN, JAMES A.
TARTAL, and TIMOTHY J. GOODSON, *Administrative Patent Judges*.

GOODSON, *Administrative Patent Judge*.

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

¹ We exercise our discretion to issue one order to be filed in each proceeding. The parties may use this style heading only if the paper includes a statement certifying that the identical paper is being filed in each proceeding listed in the caption.

IPR2019-01044 (Patent 8,813,663); IPR2019-01046 (Patent 9,480,199)
IPR2019-01047 (Patent 9,510,502); IPR2019-01048 (Patent 9,686,906)
IPR2019-01050 (Patent 9,807,922); IPR2019-01051 (Patent 9,807,924)
IPR2019-01052 (Patent 9,820,429); IPR2019-01053 (Patent 9,861,031)
IPR2019-01054 (Patent 10,004,173); IPR2019-01055 (Patent 9,699,955)

In the above-captioned cases, the records include certain documents reflecting Petitioner's invalidity contentions in *Deere & Company v. AGCO Corporation*, Civil Action No. 1:18-cv-00827-CFC in the U.S. District Court for the District of Delaware (referred to herein as the "Delaware Case"). *See, e.g.*, IPR2019-01044, Ex. 2006 (Petitioner's invalidity contentions in the Delaware Case dated July 12, 2019); Ex. 2014 (Petitioner's notice of reduction of asserted prior art references in the Delaware Case dated August 23, 2019). However, it appears that these documents may have been updated in the time since they were filed. *See, e.g.*, IPR2019-01044, Ex. 2014, 3 (advising that Petitioner "intends to serve its amended invalidity contentions no later than September 25, 2019"). The content of the current version of these contentions and lists of asserted references may be relevant to the Board's analysis of an issue to be addressed in the decisions on institution, which are due shortly.

Consequently, it is:

ORDERED that Petitioner shall file as an exhibit in each of the above captioned proceedings the current version of its invalidity contentions and list of asserted references in the Delaware Case by Wednesday, November 20, 2019.

IPR2019-01044 (Patent 8,813,663); IPR2019-01046 (Patent 9,480,199)
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IPR2019-01052 (Patent 9,820,429); IPR2019-01053 (Patent 9,861,031)
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