

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SQUARE, INC.,
Petitioner,

v.

4361423 CANADA INC.,
Patent Owner.

IPR2019-01625
Patent 8,286,875 B2
IPR2019-01627
Patent 8,281,998 B2
IPR2019-01629
Patent 9,269,084 B2
IPR2019-01649
Patent 9,016,566 B2
IPR2019-01650
Patent 9,311,637 B2

Before JAMESON LEE, ROBERT J. WEINSCHENK,
and KEVIN C. TROCK, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.¹

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

¹ The parties are not authorized to use the combined caption.

IPR2019-01625 (Patent 8,286,875 B2)
IPR2019-01627 (Patent 8,281,998 B2)
IPR2019-01629 (Patent 9,269,084 B2)
IPR2019-01649 (Patent 9,016,566 B2)
IPR2019-01650 (Patent 9,311,637 B2)

Introduction

On June 8, 2020, the parties filed a joint request by email (Exhibit 3002) to change Due Dates 1–8 in IPR2019-01625, IPR2019-01627, and IPR2019-01629. The changes are indicated in a table (Exhibit 3003) attached to the email. The parties also jointly request consolidation of oral hearings for IPR2019-01625, IPR2019-01627, IPR2019-01629, IPR2019-01649, and IPR2019-01650. Ex. 3002. The parties jointly represent that Patent Owner will not be filing any motion to amend claims. *Id.* The parties do not request any change in the Due Dates for IPR2019-01649 and IPR2019-01650. Ex. 3003.

Discussion

Based on the representation that Patent Owner will not be filing any motion to amend, we authorize the requested changes for Due Dates 1–8 in each of IPR2019-01625, IPR2019-01627, and IPR2019-01629, as summarized in the table in Exhibit 3003. A copy of the table is reproduced below, where the new due dates are shown in red:

IPR2019-01625 (Patent 8,286,875 B2)
 IPR2019-01627 (Patent 8,281,998 B2)
 IPR2019-01629 (Patent 9,269,084 B2)
 IPR2019-01649 (Patent 9,016,566 B2)
 IPR2019-01650 (Patent 9,311,637 B2)

Event*	US8286875 IPR2019-01625	US8281998 IPR2019-01627	US9269084 IPR2019-01629	US9016566 IPR2019-01649	US9311637 IPR2019-01650	US8443239 IPR2019-01651	US8613351 IPR2019-01652	US8818107 IPR2019-01653	US8818107 IPR2019-01654
Due Date 1: Patent Owner's Response	June 23, 2020	June 26, 2020	June 29, 2020	July 22, 2020	July 22, 2020	July 31, 2020	July 31, 2020	Aug. 4, 2020	Aug. 4, 2020
	July 22, 2020	July 22, 2020	July 22, 2020			Aug. 18, 2020	Aug. 18, 2020	Aug. 18, 2020	Aug. 18, 2020
Due Date 1: Motion to Amend	June 23, 2020	June 26, 2020	June 29, 2020	July 22, 2020	July 22, 2020	July 31, 2020	July 31, 2020	Aug. 4, 2020	Aug. 4, 2020
	July 22, 2020	July 22, 2020	July 22, 2020			Aug. 18, 2020	Aug. 18, 2020	Aug. 18, 2020	Aug. 18, 2020
Due Date 2: Petitioner's Reply	Sept. 15, 2020	Sept. 18, 2020	Sept. 21, 2020	Oct. 14, 2020	Oct. 14, 2020	Oct. 23, 2020	Oct. 23, 2020	Oct. 27, 2020	Oct. 27, 2020
	Oct. 14, 2020	Oct. 14, 2020	Oct. 14, 2020			Nov. 12, 2020	Nov. 12, 2020	Nov. 12, 2020	Nov. 12, 2020
Due Date 2: Opposition to Motion to Amend	Sept. 16, 2020	Sept. 18, 2020	Sept. 21, 2020	Oct. 14, 2020	Oct. 14, 2020	Oct. 23, 2020	Oct. 23, 2020	Oct. 27, 2020	Oct. 27, 2020
	Oct. 14, 2020	Oct. 14, 2020	Oct. 14, 2020			Nov. 12, 2020	Nov. 12, 2020	Nov. 12, 2020	Nov. 12, 2020
Due Date 3: Patent Owner's Sur-Reply to Reply, and Reply to Opposition to Motion to Amend	Oct. 27, 2020	Oct. 30, 2020	Nov. 2, 2020	Nov. 25, 2020	Nov. 25, 2020	Dec. 4, 2020	Dec. 4, 2020	Dec. 8, 2020	Dec. 8, 2020
	Nov. 25, 2020	Nov. 25, 2020	Nov. 25, 2020			Dec. 22, 2020	Dec. 22, 2020	Dec. 22, 2020	Dec. 22, 2020
Due Date 4: Request for Oral Argument	Nov. 17, 2020	Nov. 20, 2020	Nov. 23, 2020	Dec. 16, 2020	Dec. 16, 2020	Dec. 28, 2020	Dec. 28, 2020	Dec. 29, 2020	Dec. 29, 2020
	Dec. 16, 2020	Dec. 16, 2020	Dec. 16, 2020			Dec. 30, 2020	Dec. 30, 2020	Dec. 30, 2020	Dec. 30, 2020
Due Date 5: Petitioner's Sur-Reply to Reply to Opposition to Motion to Amend, and Motion to Exclude Evidence	Dec. 8, 2020	Dec. 11, 2020	Dec. 14, 2020	Jan. 6, 2021	Jan. 6, 2021	Jan. 19, 2021	Jan. 19, 2021	Jan. 19, 2021	Jan. 19, 2021
	Jan. 6, 2021	Jan. 6, 2021	Jan. 6, 2021						
Due Date 6: Opposition to Motion to Exclude, Request Prehearing Conference	Dec. 15, 2020	Dec. 18, 2020	Dec. 21, 2020	Jan. 13, 2021	Jan. 13, 2021	Jan. 26, 2021	Jan. 26, 2021	Jan. 26, 2021	Jan. 26, 2021
	Jan. 13, 2021	Jan. 13, 2021	Jan. 13, 2021						
Due Date 7: Reply to Opposition to Motion to Exclude	Dec. 23, 2020	Dec. 28, 2020	Dec. 29, 2020	Jan. 20, 2021	Jan. 20, 2021	Feb. 2, 2021	Feb. 2, 2021	Feb. 2, 2021	Feb. 2, 2021
	Jan. 20, 2021	Jan. 20, 2021	Jan. 20, 2021						
Due Date 8: Oral Argument	Jan. 14, 2021	Jan. 14, 2021	Jan. 14, 2021	Jan. 27, 2021	Jan. 27, 2021	Feb. 10, 2021	Feb. 10, 2021	Feb. 10, 2021	Feb. 10, 2021
	Jan. 27, 2021	Jan. 27, 2021	Jan. 27, 2021						

The table shows the changed Due Dates 1–8 for IPR2019-01625, IPR2019-01627, and IPR2019-01629.

The requested changes do not delay ultimate disposition of the cases. Nor do they impose a burden on the Board, given that Patent Owner will not be filing any motion to amend claims.

Order

For the foregoing reasons, it is

ORDERED that the parties' joint proposal to change Due Dates 1–8, in IPR2019-01625, IPR2019-01627, and IPR2019-01629, is *granted*;

FURTHER ORDERED that Due Dates 1–8 in each of IPR2019-01625, IPR2019-01627, and IPR2019-01629 are changed to the respective dates marked in red in the table presented above for those cases; and

FURTHER ORDERED that the joint request to consolidate oral hearings for IPR2019-01625, IPR2019-01627, IPR2019-01629, IPR2019-

IPR2019-01625 (Patent 8,286,875 B2)
IPR2019-01627 (Patent 8,281,998 B2)
IPR2019-01629 (Patent 9,269,084 B2)
IPR2019-01649 (Patent 9,016,566 B2)
IPR2019-01650 (Patent 9,311,637 B2)

01649, and IPR2019-01650 is *granted*. The date for the consolidated hearing will be January 27, 2021.

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