

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SQUARE, INC.,
Petitioner,

v.

4361423 CANADA INC.,
Patent Owner.

IPR2019-01627
Patent 8,281,998 B2

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

LEE, *Administrative Patent Judge*.

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

I. ANALYSIS

Patent Owner's Response was due on July 22, 2020. In an email to the Board on July 24, 2020, Patent Owner explained that the Response and accompanying exhibits were not served by email on Petitioner until July 23, 2020, at approximately 1:51 am. Further, Patent Owner stated that the Certificate of Service for the Response and accompanying exhibits incorrectly states that the documents were served on July 22, 2020, instead of July 23, 2020.

Patent Owner requested that its Response and accompanying exhibits be deemed timely, and that it be permitted to file a corrected Certificate of Service. Petitioner does not oppose Patent Owner's request. Because Patent Owner's service was late by only a couple of hours and Petitioner does not oppose, we granted Patent Owner's request in an email to the parties on July 29, 2020.

II. ORDER

It is hereby

ORDERED that Patent Owner's request that its Response and accompanying exhibits be deemed timely is *granted*; and

FURTHER ORDERED that Patent Owner's request to file a corrected Certificate of Service for its Response and accompanying exhibits is *granted*.

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PETITIONER:

Scott A. McKeown
Gabrielle E. Higgins
Victor Cheung
ROPES & GRAY LLP
scott.mckeown@ropesgray.com
gabrielle.higgins@ropesgray.com
victor.cheung@ropesgray.com

David M. Tennant
WHITE & CASE LLP
dtennant@whitecase.com

PATENT OWNER:

Jason S. Jackson
Niall A. MacLeod
KUTAK ROCK LLP
jason.jackson@kutakrock.com
niall.macleod@kutakrock.com