

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TEKNI-PLEX, INC.,
Petitioner,

v.

CONVERTER MANUFACTURING, LLC,
Patent Owner.

IPR2021-00916 (Patent 9,908,281 B1)
IPR2021-00918 (Patent 10,189,624 B2)
IPR2021-00919 (Patent 10,562,680 B2)¹

Before GRACE K. OBERMANN, JAMES A. TARTAL, and
AVELYN M. ROSS, *Administrative Patent Judges*.

ROSS, *Administrative Patent Judge*.

ORDER

Granting-in-Part Patent Owner's Unopposed
Motion to Submit Supplemental Information
37 C.F.R. § 42.123(a)

¹ We exercise our discretion to issue a single order to be entered in each of the above-identified proceedings. The parties are not authorized to use this style heading in subsequent papers.

IPR2021-00916 (Patent 9,908,281 B1)
IPR2021-00918 (Patent 10,189,624 B2)
IPR2021-00919 (Patent 10,562,680 B2)

I. INTRODUCTION

Patent Owner, Converter Manufacturing, LLC, with authorization, filed a Motion to Submit Supplemental Information. Paper 36 (“Motion”). Petitioner, Tekni-Plex, Inc., withdrew its opposition to Patent Owner’s Motion on May 23, 2022. Ex. 3003. Through its Motion, Patent Owner seeks to supplement the record with proposed Exhibits 2037 and 2056 (“Supplemental Information”). For the reasons that follow, we grant the unopposed Motion.²

II. BACKGROUND

We instituted trial on all claims and all grounds on October 22, 2021. Paper 6. Patent Owner filed its Patent Owner Response (Paper 15) on February 21, 2022, and Patent Owner filed a Corrected Patent Owner Response on March 8, 2022. Paper 20. On February 28, 2022, Petitioner filed its objections to the evidence filed with the Patent Owner Response. Paper 18 (“Objections”). With authorization, Patent Owner filed its first motion to submit supplemental information on April 4, 2022. Paper 24. We granted Patent Owner’s motion, in part, and identified certain errors that “would lead to an unclear record and would not serve the interests of justice.” Paper 30, 7 (“Order”). Patent Owner offers Exhibits 2037 and 2056 in response to, and to correct, errors identified in our Order. Motion 1.

² Patent Owner’s Motion to Submit Supplemental Information is representative of Patent Owner’s request and proffered supplemental information in each of the three proceedings. Our analysis herein focuses on IPR2021-00916 but applies equally to IPR2021-00918 and IPR2021-00919.

IPR2021-00916 (Patent 9,908,281 B1)
IPR2021-00918 (Patent 10,189,624 B2)
IPR2021-00919 (Patent 10,562,680 B2)

III. ANALYSIS

Patent Owner's proposed Supplemental Information consists of a translation of Japanese Patent Application JP S56-150606, the Japanese version of JP S56-150606, and a declaration by Mr. Marc Adler certifying the accuracy of the translation (collectively, Ex. 2056) and a declaration by Mr. Adler certifying the translation of a separate reference, JP S58-205705 (Ex. 2037). Motion 1.

Because Petitioner does not oppose the admission of Exhibits 2037 and 2056, and because these exhibits are offered to correct deficiencies in the record, we determine that Patent Owner has shown it is entitled to the requested relief. In particular, correction of these deficiencies may obviate the need for authenticating documents in the future which may serve the interests of justice and efficiency.

III. CONCLUSION

Patent Owner has persuaded us that submission of Exhibits 2037 and 2056 serves the interest of justice. Accordingly, we grant Patent Owner's Unopposed Motion to Submit Supplemental Information.

IV. ORDER

In consideration of the foregoing, it is:

ORDERED that Patent Owner's Unopposed Motion to Submit Supplemental Information is *granted*.

IPR2021-00916 (Patent 9,908,281 B1)
IPR2021-00918 (Patent 10,189,624 B2)
IPR2021-00919 (Patent 10,562,680 B2)

FOR PETITIONER:

Michael A. Fisher
Kevin M. Flannery
DECHERT LLP
michael.fisher@dechert.com
kevin.flannery@dechert.com

FOR PATENT OWNER:

Joseph A. Farco, Reg. No. 59,139
Brian C. Anscomb, Reg. No. 48,641
NORRIS MCLAUGHLIN, P.A.
jfarco@norris-law.com
beanscomb@norris-law.com