

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERCELL OY,
Petitioner,

v.

GREE, INC.,
Patent Owner.

Case PGR2018-00029 (Patent 9,636,583 B2)
Case PGR2018-00036 (Patent 9,669,308 B2)
Case PGR2018-00039 (Patent 9,597,594 B2)
Case PGR2018-00047 (Patent 9,770,659 B2)
Case PGR2018-00050 (Patent 9,675,886 B2)
Case PGR2018-00055 (Patent 9,687,744 B2)
Case PGR2018-00060 (Patent 9,694,287 B2)
Case PGR2018-00061 (Patent 9,700,793 B2)¹

Before MICHAEL W. KIM, LYNNE H. BROWNE, HYUN J. JUNG,
CARL M. DEFRANCO, *Administrative Patent Judges.*

KIM, *Administrative Patent Judge.*

ORDER
Supplemental Information
37 C.F.R. § 42.223

¹ This Order addresses issues that are the same in the above-identified proceedings. We exercise our discretion to issue on Order to be entered in each proceeding. The parties are not authorized to use this joint heading and filing style in their papers.

Case PGR2018-00029 (Patent 9,636,583 B2)
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On July 1, 2019, Petitioner contacted the Board seeking authorization to file a motion to submit supplemental information under 37 C.F.R. § 42.223.² Specifically, Petitioner sought to make a statement summarizing the Board's application of two Federal Circuit decisions, *In re Smith* and *In re Guldenaar*, in two Final Written Decisions, *Bally Gaming, Inc. v. New Vision Gaming & Development*, CBM2018-00005, Paper 50 (PTAB June 19, 2019) and *Bally Gaming, Inc. v. New Vision Gaming & Development*, CBM2018-00008, Paper 47 (PTAB June 19, 2019). Petitioner informed the Board that Patent Owner objected to this Motion as untimely, not in the interests of justice (as required under 37 C.F.R. § 42.223(b)), and pertaining to non-precedential cases with different subject matter.

The Federal Circuit cases have been extensively briefed by both parties. The Board takes notice of the Final Written Decisions. The Board is unpersuaded that consideration of Petitioner's statement summary about non-precedential Board decisions is necessary in the interests of justice.

For the reasons set forth above, it is

ORDERED that Petitioner's request for authorization to file a motion to submit supplemental evidence is DENIED.

² Petitioner cited 37 C.F.R. § 42.123, which is applicable to *inter partes* reviews. The corresponding rule for post-grant reviews is 37 C.F.R. § 42.223.

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