

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SWEEGEN, INC.,  
Petitioner,

v.

PURECIRCLE SDN BHD AND PURECIRCLE USA INC.,  
Patent Owners.

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PGR2020-00070  
Patent 10,485,257 B2

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*Before* SUSAN L. C. MITCHELL, JENNIFER MEYER CHAGNON, and  
JAMIE T. WISZ, *Administrative Patent Judges*.

WISZ, *Administrative Patent Judge*.

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

On September 1, 2020, a conference call was held among counsel for the parties and Judges Wisz and Mitchell. The call was requested by Petitioner to seek authorization to file a motion pursuant to 37 C.F.R. § 42.104(c) to correct clerical mistakes as described below.

Petitioner requests authorization to file a motion under 37 C.F.R. § 42.104(c) to file Supplemental Declarations of Enrique Arevalo and Kim Friis Olsson to correct data errors in certain tables within the lab report submitted as part of the original Declaration of Enrique Arevalo (Exhibit 1010). These errors allegedly occurred due to a clerical mistake as the result of tables being linked to the incorrect cell ranges within the source spreadsheet. Patent Owner responds that the errors in the declarations are not clerical mistakes that may be corrected under § 42.104(c) and further argues that Patent Owner would be prejudiced by such corrections.

We authorize Petitioner to file a motion to correct clerical mistakes under 37 C.F.R. § 42.104(c). Whether the errors are the type that may be corrected under § 42.104(c) will be determined following receipt of Petitioner's motion and Patent Owner's opposition to the motion. Petitioner's motion is due by September 8, 2020 and is limited to five pages. Patent Owner's opposition to Petitioner's motion is due by September 15, 2020 and is also limited to five pages. No reply brief in support of the motion is authorized.

ORDER

Accordingly, it is:

ORDERED that Petitioner's request to file a motion pursuant to 37 C.F.R. § 42.104(c) to correct clerical mistakes is *granted*;

FURTHER ORDERED that Petitioner's motion shall be filed by September 8, 2020 and shall not exceed five (5) pages; and

FURTHER ORDERED that Patent Owner's opposition to Petitioner's motion shall be filed by September 15, 2020 and shall not exceed five (5) pages.

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