

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PERSEPHONE GmbH,
Petitioner Application 15/368,221,
Petitioner,

v.

ICAPITAL SERVICES LLC,
Respondent Application 14/726,075,
Respondent.

DER2017-00004

Before JAMESON LEE, MICHAEL R. ZECHER, and JUSTIN T. ARBES,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

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

Introduction

Petitioner's counsel filed, on behalf of Petitioner Persephone GmbH, a Motion to Substitute Real Party-In-Interest and Petitioner, to Withdraw as Counsel, and to Expunge Prior Motions, on the basis that Persephone GmbH has assigned all rights in Application No. 15/368,221 to Mr. Christian Günther. Paper 44 ("Motion"). Respondent has not yet filed an opposition. We will decide the Motion after Respondent's time for opposition expires.

Christian Günther filed Petitioner's Updated Mandatory Notice providing information required by 37 C.F.R. § 42.8(b). Paper 46. In that Updated Mandatory Notice, Christian Günther asked several inquiries about communication with the Board. This Order answers those inquiries.

Discussion

Mr. Günther asks the Board "to send any communication about the case at least via email also, and via physical mail to his physical address if necessary." Paper 46, 3. If necessary, the Board can upon request send a courtesy copy of papers it enters into the record by email to the parties at the email address indicated in the mandatory notices, but the Board will not mail paper copies to any physical address.

Mr. Günther asks the Board "whether he may send/file papers and communications about the case via email to trial@uspto.gov (or to which email address the Board indicates), and/or may send/file papers and communications about the case via physical mail to which physical address the Board indicates." Paper 46, 3. We do not authorize filing papers at the Board by either email or by physical mail. *See* 37 C.F.R. § 42.6(b). All

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filings should be done through the Board's Patent Trial and Appeal Case Tracking System (P-TACTS).¹ *See id.*

Order

It is

ORDERED that each party shall take notice of the above-noted procedure; and

FURTHER ORDERED that Respondent shall file a paper, within seven days of the date of this communication, indicating whether it opposes Petitioner's Motion to Substitute Real Party-In-Interest and Petitioner, to Withdraw as Counsel, and to Expunge Prior Motions (Paper 44).

¹ Each party shall, however, still serve papers to the other party by the manner of service provided in the other party's mandatory notice submissions. *See* 37 C.F.R. § 42.6(e).

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