

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

CUSTOM MEDIA TECHNOLOGIES LLC,
Patent Owner.

Case IPR2015-00516
Patent 6,269,275 B1

Before GLENN J. PERRY, THOMAS L. GIANNETTI, and
BARBARA A. PARVIS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

ORDER

Denying Patent Owner's Request for Rehearing
37 C.F.R. § 42.71(d)

Following an extensive telephone conference call with counsel, we issued an Order on July 9, 2015, denying Patent Owner's request for authorization to file a motion for sanctions pursuant to 37 C.F.R. § 42.12(a) seeking attorneys' fees from Petitioner for pursuit of alleged frivolous arguments. Paper 12. Subsequently, Patent Owner filed a paper (Paper 13) purporting to be a request for rehearing of the Order (Paper 12). The request amounts to a motion for sanctions filed in violation of our Order and 37

C.F.R. § 42.20(b), which states “[a] motion will not be entered without Board authorization.” For instance, Patent Owner’s fifteen-page paper includes new contentions regarding Petitioner’s alleged pre-filing conduct in this and other proceedings. Paper 13. We, therefore, determine that Patent Owner’s paper is an unauthorized paper.

Under 37 C.F.R. § 42.7(a), we may expunge any paper directed to the proceeding that is not authorized. Accordingly, we expunge Patent Owner’s request because it is an unauthorized motion.

I. ORDER

For the reasons given, it is hereby

ORDERED that Patent Owner’s Request for Rehearing under 37 C.F.R. § 42.71 on Patent Owner’s Request for Authorization to File a Motion for Sanctions (Paper 13) is expunged from the record of the instant proceeding.

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