

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEARMAP US, INC.,
Petitioner,

v.

EAGLE VIEW TECHNOLOGIES, INC.,
Patent Owner.

IPR2022-00734
Patent 9,135,737 B2

Before THOMAS L. GIANNETTI, GARTH D. BAER, and
RUSSELLE E. CASS, *Administrative Patent Judges*.

BAER, *Administrative Patent Judge*.

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

In light of the Decision Vacating the Final Written Decision and Remanding to the Patent Trial and Appeal Board Panel for Further Proceedings (Paper 43), the parties may each file a brief addressing the following issues:

1. Whether the roof-report limitation¹ recites printed matter that is not entitled to patentable weight.
2. Assuming the roof-report limitation is not entitled to patentable weight, how that may impact Patent Owner's asserted secondary considerations.

Petitioner's brief is limited to 12 pages and is due two weeks from the date of this order. Patent Owner's brief is also limited to 12 pages and due within two weeks after Petitioner files its brief. The Board intends to issue a Final Written Decision in this case within two months of receiving the parties' briefs.

¹ "wherein the roof estimate report includes numerical values for corresponding slope, area, or lengths of edges of at least some of a plurality of planar roof sections of the roof."

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