

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUNTER'S MANUFACTURING COMPANY, INC. d/b/a
TENPOINT CROSSBOW TECHNOLOGIES,
Petitioner,

v.

RAVIN CROSSBOWS, LLC,
Patent Owner.

IPR2023-00407
Patent 9,354,015 B2

Before KEN B. BARRETT, PATRICK R. SCANLON, and
ROBERT J. SILVERMAN, *Administrative Patent Judges*.

SILVERMAN, *Administrative Patent Judge*.

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

On August 26, 2023, Patent Owner (by electronic mail) requested authorization to file a five-page motion, pursuant to 37 C.F.R. §§ 42.20(b), 42.51, and 42.52, to “compel Petitioner to provide routine discovery by making its expert declarant available for deposition for a full seven (7) hours of cross-examination, as required by 37 C.F.R. § 42.53(c)(2).” The electronic mail message also states that Patent Owner purports to “seek[] relief from the Petitioner’s counsel’s unilateral decision to terminate the deposition of Petitioner’s retained expert, Stephen Batzer, at 4:30 pm, on August 24, before Patent Owner had completed the full seven (7) hours of cross-examination” and that “Petitioner’s counsel has refused to make Dr. Batzer available at a later date so that Patent Owner could complete its full seven (7) hours of cross-examination.” The electronic mail message further states that “Patent Owner therefore seeks an order compelling Dr. Batzer to make himself available for the approximately one (1) remaining hour to complete his deposition.” In addition, the electronic mail message provided mutually agreeable dates and times for the parties to address this matter telephonically with the Board.

The Board determines that the identified dispute should be addressed by motion practice.

Accordingly, it is:

ORDERED that Patent Owner may file a motion of up to five (5) pages, limited to the subjects identified in the electronic mail request identified above. Such motion shall be filed on or before September 5, 2023.

FURTHER ORDERED that Petitioner may file a response of up to five (5) pages, limited to subjects raised by Patent Owner in the motion. Such response shall be filed on or before September 11, 2023.

For PETITIONER:

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