

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIKING DRILL & TOOL, INC.,
Petitioner,

v.

HONGJIA WANG,
Patent Owner.

IPR2023-00473 and IPR2023-00474
Patent 11,007,583 B2

Before WILLIAM V. SAINDON and
JAMES J. MAYBERRY, *Administrative Patent Judges*.

SAINDON, *Administrative Patent Judge*.

ORDER

Conduct of Proceeding – Authorizing Briefing on Motion to Strike
37 C.F.R. § 42.5

Petitioner requested a conference call with the Board to seek authorization to file a motion to strike portions of certain corrected exhibits filed by Patent Owner that Petitioner alleges contain substantive supplementation compared to the originally-filed versions. As background, the Board expunged Patent Owner's originally-filed Patent Owner Response and associated exhibits for failing to comply with several rules under 37 C.F.R. Part 42. Petitioner is alleging that Patent Owner's refiled exhibits contain substantive supplementation compared to the originally-filed versions.

We held a conference call with counsel for Petitioner and Patent Owner on December 13, 2023. Both parties were offered the opportunity to discuss the matter described above. Upon conclusion of the discussion, we ruled that Petitioner was authorized to file a Motion to Strike. The parties agreed that Petitioner could file a motion of no more than 15 pages by December 20, 2023, that Patent Owner could file an opposition of no more than 15 pages by January 3, 2023, and that Petitioner could file a reply of no more than 5 pages by January 8, 2023. The parties shall file the same papers and exhibits in both proceedings, except to adjust as necessary for different case numbers or any specific difference in citation to a page, paper, or exhibit number.

It is so ORDERED.

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PETITIONER:

J. Derek Vandenburg
Iain A. McIntyre
Mitchell R. Williams
Carlson Caspers Vandenburg & Lindquist, PA
dvandenburg@carlsoncaspers.com
imcintyre@carlsoncaspers.com
mwilliams@carlsoncaspers.com

PATENT OWNER:

Kelly W. Cunningham
Ervin Cohen & Jessup LLP
kcunningham@ecjlaw.com