

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QUASAR SCIENCE LLC,  
Petitioner,

v.

COLT INTERNATIONAL CLOTHING, INC. d/b/a COLT LED,  
Patent Owner.

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IPR2023-00611 (Patent 10,197,224 B1)  
IPR2023-00613 (Patent 10,411,582 B1)  
IPR2023-00614 (Patent 10,566,895 B1)<sup>1</sup>

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Before GEORGIANNA W. BRADEN, ZHENYU YANG, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

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<sup>1</sup> This Order pertains to all of these cases. Therefore, we exercise our discretion to issue a single Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

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## I. INTRODUCTION

On April 24, 2024, Judges Braden, Yang, and Weinschenk held a telephone conference call with counsel for Quasar Science LLC (“Petitioner”) and counsel for Colt International Clothing, Inc. d/b/a Colt LED (“Patent Owner”). This Order summarizes statements made during the conference call.

## II. ANALYSIS

Petitioner requested authorization to file a motion for additional discovery in the form of a deposition of a third party, Mr. Ya Jun Zhang. According to Petitioner, Patent Owner submitted a declaration from Mr. Zhang and relied on that declaration in its Patent Owner Response. Petitioner filed a notice of deposition of Mr. Zhang, and Patent Owner objected. Patent Owner argued that Mr. Zhang’s deposition is not routine discovery because his declaration is from 2018 and was not prepared for this proceeding.

During the conference call, Petitioner indicated that it did not know where Mr. Zhang resides or if he is willing to be deposed in this case. Patent Owner indicated that it believes Mr. Zhang resides in China. Given the uncertainty regarding Mr. Zhang’s location and willingness to be deposed in this case, we denied Petitioner’s request to file a motion for additional discovery at this time. We instructed the parties to meet and confer about Mr. Zhang’s location and availability for a deposition. The parties shall then contact the Board to determine how to proceed.

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### III. ORDER

It is hereby

ORDERED that the parties meet and confer about Mr. Zhang's location and availability for a deposition in this case, and then contact the Board to determine how to proceed.

IPR2023-00611 (Patent 10,197,224 B1)  
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