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Paper 17
Date: November 20, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUASAR SCIENCE LLC,
Petitioner,

v.

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

IPR2023-00611 (Patent 10,197,224 B1)
IPR2023-00613 (Patent 10,411,582 B1)
IPR2023-00614 (Patent 10,566,895 B1)[1]

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

WEINSCHENK, *Administrative Patent Judge*.

ORDER
Authorizing Motion for Additional Discovery
37 C.F.R. § 42.51(b)(2)

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[1] 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.

I. INTRODUCTION

On November 17, 2023, Judges Braden 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

Patent Owner requested authorization to file a motion for additional discovery relating to the alleged commercial success of Petitioner's products. Patent Owner argued that public information indicates that certain of Petitioner's commercially-successful products are covered by the challenged claims in the above-identified proceedings. Patent Owner explained that it, therefore, seeks information relating to the sales and market share of those products. Petitioner responded that Patent Owner's requests are not likely to produce useful information and are overly broad and burdensome.

After considering the respective positions of the parties, we authorized Patent Owner to file a 10-page motion for additional discovery by November 20, 2023. We reminded Patent Owner that its motion should identify the exact discovery requests that Patent Owner proposes serving on Petitioner, and that the proposed discovery requests should be narrowly tailored. We authorized Petitioner to file a 10-page opposition to Patent Owner's motion by December 1, 2023.

We also directed the parties to meet and confer regarding Patent Owner's proposed discovery requests by November 27, 2023. If the parties

reach an agreement regarding the proposed discovery requests and motion practice is no longer necessary, we requested that the parties inform the Board by a joint email to Trials@uspto.gov. On the other hand, if any disputes remain after the meet and confer, we requested that Petitioner identify in its opposition any agreements reached by the parties during the meet and confer.

III. ORDER

It is hereby

ORDERED that Patent Owner is authorized to file a 10-page motion for additional discovery by November 20, 2023.

FURTHER ORDERED that the parties must meet and confer regarding Patent Owner's proposed discovery requests by November 27, 2023; and

FURTHER ORDERED that Petitioner is authorized to file a 10-page opposition to Patent Owner's motion by December 1, 2023.

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