

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KAHOOT! ASA and KAHOOT! EDU, INC.,
Petitioner,

v.

AVIEL D. RUBIN,
Patent Owner.

IPR2023-00693
Patent 9,064,376 B1

Before KEN B. BARRETT, KEVIN W. CHERRY, and
CYNTHIA L. MURPHY, *Administrative Patent Judges*.

CHERRY, *Administrative Patent Judge*.

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

On April 26, 2024, Judges Barrett, Cherry, and Murphy conducted a telephone conference with counsel for the parties. The call was to discuss Petitioner's request for additional pages for its Opposition to Patent Owner's Revised Non-Contingent Motion to Amend. Petitioner requested ten additional pages for its Opposition in order to fully address the Revised Non-Contingent Motion to Amend without having to resort to incorporation by reference from other filings. Petitioner agreed that, if its request were granted, it would also agree to granting Patent Owner six additional pages for Patent Owner's Reply in Support of its Revised Non-Contingent Motion to Amend.

After hearing from both of the parties, we agreed to grant Petitioner's request. As we noted on the call, the unique circumstances of this case—the non-contingent nature of the motion to amend, the length of the claims, and the complexity of the technology—demonstrate that additional pages are warranted in this case. Accordingly, we grant Petitioner's request for ten additional pages for its Opposition to the Revised Non-Contingent Motion to Amend. We also grant Patent Owner six additional pages for its Reply in Support of its Revised Non-Contingent Motion to Amend.

ORDER

For the reasons given, it is:

ORDERED that Petitioner's request for ten (10) additional pages for its Opposition to the Revised Non-Contingent Motion to Amend is *granted*; and

FURTHER ORDERED that Patent Owner is granted six (6) additional pages for its Reply in Support of its Non-Contingent Motion to Amend.

.

IPR2023-00693
Patent 9,064,376 B1

FOR PETITIONER:

R. Beard
wbeard@sgbfirm.com

Rudolph Kim
rudylim@paulhastings.com

Naveen Modi
naveenmodi@paulhastings.com

Chetan Bansal
chetanbansal@paulhastings.com

Brian Banner
bbanner@sgbfirm.com

FOR PATENT OWNER:

Robert McArthur
mcarthur@vblaw.com