

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

ORCKIT CORPORATION,
Patent Owner.

IPR2023-00714
Patent 6,680,904 B1

Before KRISTEN L. DROESCH, NATHAN A. ENGELS, and
BRENT M. DOUGAL *Administrative Patent Judges*.

DOUGAL, *Administrative Patent Judge*.

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

On February 2, 2024, with our authorization, Petitioner filed a Motion to Expunge Exhibits 1001 and 1005. Paper 22 “Mot.”). Petitioner states that the previously filed Exhibits 1001 and 1005, filed March 14, 2023, were incorrect, and that “[t]he substitute exhibits . . . are the same as the previously-filed exhibits except for removing annotations on pgs. 4, 6, 7, 9, and 10 of Exhibit 1001 and pgs. 31 and 32 of Exhibit 1005.” Mot. 2. Petitioner also states that Patent Owner does not oppose the request. *Id.*

We authorized the re-filing of the Exhibits in accordance with 37 C.F.R. § 42.6(d). Petitioner filed corrected Exhibits 1001 and 1005, dated February 2, 2024. The re-filed exhibits omit the annotations identified by Petitioner. Given the importance of maintaining a clean record, we hereby grant Petitioner’s motion to expunge the incorrect exhibits. 37 C.F.R. § 42.7(a).

Accordingly, it is

ORDERED that Petitioner’s Motion to Expunge Exhibits 1001 and 1005 is *granted*; and

FURTHER ORDERED that Exhibits 1001 and 1005 dated March 14, 2023 are expunged from the record.

IPR2023-00714
Patent 6,680,904 B1

PETITIONER:

Theodore Foster
David McCombs
Gregory Huh
Calmann Clements
HAYNES AND BOONE, LLP
Ipr.theo.foster@haynesboone.com
David.mccombs.ipr@haynesboone.com
Gregory.huh.ipr@haynesboone.com
Calmann.dements.ipr@haynesboone.com

PATENT OWNER:

James Carmichael
Stephen McBride
CARMICHAEL IP, PLLC
jim@carmichaelip.com
stevemcbride@carmichaelip.com