

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

JAWBONE INNOVATIONS, LLC,
Patent Owner.

IPR2023-01291
Patent 8,467,543 B2

Before GEORGIANNA W. BRADEN, NORMAN H. BEAMER,
and JASON M. REPKO, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

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

On January 19, 2004, a conference call was held with the parties at Petitioner's request. Petitioner requested the call to seek authorization to file a three-page reply to Patent Owner's Preliminary Response, directed to Patent Owner's arguments regarding the interpretation of "generating a noise waveform estimate associated with noise of the acoustic signals" in claim 1, stating that "[t]here is good cause because Petitioner could not anticipate Patent Owner's interpretation of this term." Ex. 3001. Patent Owner opposed the request.

We find that Petitioner should be permitted to address the identified issue, and also determine that the Panel would benefit from the additional briefing.

Therefore, it is

ORDERED that Petitioner may file by Wednesday, January 24, 2024, a reply to Patent Owner's Preliminary Response, of no more than three (3) pages, limited to addressing Patent Owner's claim construction arguments made in the Preliminary Response concerning interpretation of "generating a noise waveform estimate associated with noise of the acoustic signals" in claim 1; and

FURTHER ORDERED that Patent Owner may file a sur-reply of no more than three (3) pages, limited to addressing the issues raised in the reply, no later than Monday, January 29, 2024.

PETITIONER

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