

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner,

v.

GRAPHITE CHARGING COMPANY, LLC,
Patent Owner.

IPR2024-00387 (Patent 8,103,391 B2)
IPR2024-00388 (Patent 8,291,243 B2)¹

Before KEN B. BARRETT and MATTHEW S. MEYERS, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Unopposed Motion to Accept Filings
37 C.F.R. § 42.5

¹ This Order addresses issues that are same in each of the above captioned proceedings and we exercise our discretion to issue one Order to be filed in each proceeding. The proceedings have not been consolidated, and the parties are not authorized to use this style heading in any subsequent papers.

The Board authorized Petitioner to file, in both of the captioned cases, a preliminary reply to Patent Owner's Preliminary Response, and authorized Patent Owner to file preliminary sur-replies. Petitioner filed its preliminary replies on June 17, 2024. Paper 7.² Patent Owner's sur-replies were due June 24, 2024. According to Patent Owner, it sought to but was unable to file, on the due date, the sur-replies, motions for pro hac vice admission of Nadiia Loizides, and accompanying exhibits. Paper 10.

Patent Owner states:

On Monday, June 24, 2024, Patent Owner successfully used P-TACTS [(Patent Trial and Appeal Case Tracking System)] to file Updated Mandatory Notices and a new Power of Attorney appointing the undersigned as its new attorneys in this proceeding. Patent Owner was prevented from using P-TACTS on the same day to submit the Filings, because P-TACTS did not allow for additional filings until after the matter was placed on the new attorneys' dockets. In accordance with the Board's alternative filing procedure under such circumstances, Patent Owner emailed the Board and Petitioner on the same day to request acceptance of the Filings by the Board and to serve copies of the Filings on Petitioner.

Id. at 1. Patent Owner represents that Petitioner does not oppose the motions. *Id.*

We determine that Patent Owner has shown good cause to accept the late filings, and the motions are *granted*. 37 C.F.R. § 42.5(c)(3). Patent Owner may file the sur-replies, the pro hac vice motions, and the accompanying exhibits. The submissions will be deemed timely filed.

It is so ORDERED.

² Unless otherwise indicated, we cite here to the papers filed in IPR2024-00387. Similar papers were filed in IPR2024-00388.

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