

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZEBRA TECHNOLOGIES CORPORATION,  
Petitioner,

v.

INTELLECTUAL VENTURES I LLC,  
Patent Owner.

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IPR2024-00883  
Patent 7,623,439 B2

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Before JAMESON LEE, LARRY J. HUME, and AMBER L. HAGY,  
*Administrative Patent Judges.*

HUME, *Administrative Patent Judge.*

ORDER

Expunging Petitioner's Preliminary Reply to the Patent Owner's  
Preliminary Response and Accompanying Exhibit  
*37 C.F.R. § 42.7(a)*

## I. INTRODUCTION

Zebra Technologies Corporation (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting *inter partes* review (“IPR”) of claims 1–3, 7–11, 13–16, and 18 (“the challenged claims”) of U.S. Patent No. 7,623,439 B2 (Ex. 1001, “the ’439 patent”). Intellectual Ventures I LLC (“Patent Owner”) timely filed a Preliminary Response. Paper 6 (“Prelim. Resp.”).

On September 23, 2024 Petitioner requested, and the Board granted, both by email, authorization to file a Preliminary Reply to Patent Owner’s Preliminary Response to address *Fintiv* factors raised in Patent Owner’s Preliminary Response and to include a *Sotera*<sup>1</sup> stipulation. *See* Ex. 3001. Petitioner then filed its Preliminary Reply (Paper 7) and accompanying Exhibit 1017 on October 2, 2024.

## II. DISCUSSION

Petitioner’s Preliminary Reply (Paper 7) exceeds the scope of what the Board authorized. Ex. 3001. We did not authorize the filing of new evidence, i.e., a new declaration (Ex. 1017), in support of the Preliminary Reply. Exhibit 1017 will be expunged. The Preliminary Reply also will be expunged because it relies on unauthorized new evidence. No new preliminary reply is authorized at this time. If Petitioner still desires to file a preliminary reply, it may make that request within three business days by sending an email to the Board and particularly stating the reasons therefor.

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<sup>1</sup> *Sotera Wireless, Inc. v. Masimo Corporation*, IPR2020-01019, Paper 12 (Dec. 1, 2020) (precedential as to § II.A).

III. ORDER

It is:

ORDERED that, pursuant to 37 C.F.R. § 42.7(a), Paper 7 and Exhibit 1017 are expunged from the record for the reasons stated above.

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