

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMAZON.COM, INC.,  
AMAZON.COM SERVICES LLC,  
AMAZON WEB SERVICES, INC., and  
TWITCH INTERACTIVE, INC,  
Petitioners,

v.

NL GIKEN INC,  
Patent Owner.

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IPR2024-01345  
Patent 9,948,968 B2

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Before WILLIAM V. SAINDON, ROBERT J. WEINSCHENK, and  
ANDREW L. NALVEN, *Administrative Patent Judges*.

NALVEN, *Administrative Patent Judge*.

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

On January 29, 2025, Amazon.com Inc., Amazon.com Services LLC, Amazon Web Services, Inc., and Twitch Interactive, Inc. (collectively, “Petitioner”) emailed the Board requesting authorization to file a reply of 5 pages to Patent Owner’s Preliminary Response to address why two limitations identified by Patent Owner do not invoke 35 U.S.C. §112 ¶ 6. Ex. 3001. Petitioner asserts that good cause exists for permitting the reply because Petitioner could not have anticipated Patent Owner’s arguments. *Id.* Patent Owner opposes Petitioner’s request arguing that Petitioner anticipated, but chose to not address Patent Owner’s arguments. *Id.* We grant Petitioner’s request because we determine that additional briefing is warranted on this issue.

Accordingly, it is

ORDERED that Petitioner is authorized to file a five-page reply, limited to the subject matter set forth above, no later than February 7, 2025;

FURTHER ORDERED that Patent Owner is authorized to file a five-page sur-reply, limited to responding to the subject matter in Petitioner’s reply, no later than February 14, 2025; and

FURTHER ORDERED that no additional evidence is permitted to be submitted with either paper.

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