

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SMITH & NEPHEW, INC.  
Petitioner

v.

BONUTTI SKELETAL INNOVATIONS LLC  
Patent Owner

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Case IPR2013-00629  
Patent 7,806,896 B1

Before WILLIAM V. SAINDON, MICHAEL R. ZECHER, and  
RICHARD E. RICE, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

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

A conference call in the above proceeding was held on March 4, 2014, between respective counsel for Petitioner and Patent Owner, and Judges Zecher, Saindon, and Rice. Counsel for Petitioners in IPR2014-00321 and IPR2014-00354 also participated in the call. The purpose of the call was to discuss the potential impact of this proceeding on IPR2014-00321 and IPR2014-00354.

Patent Owner began the call by informing the Board that both IPR2014-00321 and IPR2014-00354 seek review of U.S. Patent No. 7,806,896 B1—the same patent being reviewed in this proceeding. Patent Owner explained that, if the Board institutes *inter partes* reviews in IPR2014-00321 and IPR2014-00354, certain efficiencies may be achieved by consolidating or joining all three proceedings. Counsel for each Petitioner agreed to work with Patent Owner to achieve efficiencies, but separately noted that, because the Board has yet to determine whether to institute an *inter partes* review in either IPR2014-00321 or IPR2014-00354, consolidating or joining all three proceedings is premature at this time. The Board agreed, but informed the parties that it may revisit the issue once a determination has been made whether to institute *inter partes* reviews in IPR2014-00321 and IPR2014-00354.

Case IPR2013-00629

Patent 7,806,896 B1

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