

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COX COMMUNICATIONS, INC.,
Petitioner,

v.

AT&T INTELLECTUAL PROPERTY I, L.P.,
Patent Owner.

Case IPR2015-01227
Patent 7,907,714 B2

Before MICHAEL R. ZECHER, BRIAN P. MURPHY, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. §§ 42.5(a) and 42.7(a)

I. DISCUSSION

On September 21, 2016, Patent Owner, AT&T Intellectual Property I, L.P. (“AT&T”), timely filed a Request for Rehearing (Paper 66) concerning an Order we entered September 7, 2016 (Paper 63), along with Exhibits 2054–57. Pursuant to 37 C.F.R. § 42.71(d), “[a] party dissatisfied with a decision may file a single request for rehearing without prior authorization from the Board.” This rule, however, does not permit AT&T to file or introduce new, additional evidence with its Request for Rehearing, and we did not authorize AT&T to file such evidence. Because AT&T is not permitted to file or introduce new, additional evidence with its Request for Rehearing, we exercise our authority under 37 C.F.R. 42.7(a) to expunge AT&T’s Request for Rehearing, along with Exhibits 2054–57. Nonetheless, we will afford AT&T another opportunity to file a renewed Request for Rehearing concerning our Order dated September 7, 2016. No new, additional evidence of any kind is permitted to be filed or introduced with this renewed Request for Rehearing.

II. ORDER

Accordingly, it is:

ORDERED that, pursuant to 37 C.F.R. 42.7(a), AT&T’s Request for Rehearing (Paper 66) and Exhibits 2054–57 are expunged from the record of this proceeding;

FURTHER ORDERED that AT&T is authorized to file a renewed Request for Rehearing concerning our Order dated September 7, 2016 (Paper 63); and

IPR2015-01227
Patent 7,907,714 B2

FURTHER ORDERED that AT&T's renewed Request for Rehearing is due no later than September 26, 2016; and

FURTHER ORDERED that AT&T shall not file or introduce new, additional evidence of any kind with its renewed Request for Rehearing.

IPR2015-01227
Patent 7,907,714 B2

For PETITIONER:

Steven M. Bauer
Joseph A. Capraro, Jr.
Gerald Worth
John M. Kitchura, Jr.
Scott Bertulli
PROSKAUER ROSE LLP
PTABMattersBoston@proskauer.com
jcapraro@proskauer.com
gworth@proskauer.com
jkitchura@proskauer.com
sbertulli@proskauer.com

For PATENT OWNER:

David W. O'Brien
Raghav Bajaj
Jamie McDole
James Russell Emerson
HAYNES AND BOONE, LLP
david.obrien.ipr@haynesboone.com
raghav.bajaj.ipr@haynesboone.com
Jamie.mcdole@haynesboone.com
Russell.emerson.ipr@haynesboone.com

Arnold Turk
Neil F. Greenblum
Michael J. Fink
GREENBLUM & BERSTEIN, P.L.C.
aturk@gbpatent.com
ngreenblum@gbpatent.com
mfink@gbpatent.com