

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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IRON DOME LLC,  
Petitioner,

v.

CHINOOK LICENSING DE LLC,  
Patent Owner

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Case IPR2014-00674  
Patent 7,047,482

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Before WILLIAM V. SAINDON, JAMES P. CALVE, and TRENTON A. WARD,  
*Administrative Patent Judges.*

WARD, *Administrative Patent Judge.*

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.75*

On July 31, 2014, Petitioner sent correspondence to the Board and the Patent Owner raising an issue with respect to Patent Owner's Preliminary Response (Paper 6) and requesting a conference call. In the correspondence, Petitioner stated that Patent Owner's Preliminary Response accuses Petitioner's counsel of attorney misconduct and improperly includes a motion for sanctions without seeking the prior authorization from the Board.

Upon review of Patent Owner's Preliminary Response, we note that Patent Owner argues that the PTAB may impose sanctions under 37 C.F.R. § 42.12(a). Paper 6, at 8. Furthermore, Patent Owner expressly requests in the Preliminary Response that the Board use its discretion to dismiss the Petition and award Patent Owner attorney's fees associated with the proceeding, as "sanctions pursuant to 37 C.F.R. § 42.12 are warranted." *Id.* at 11.

A motion for sanctions based on alleged misconduct may not be filed without prior Board authorization. *See* 37 C.F.R. § 42.20(b). Patent Owner has, without authorization, embedded such a motion within its preliminary response. *See* Paper 6, 8-11.

Accordingly, it is

ORDERED that Patent Owner's preliminary response (Paper 6), already of record, dated July 22, 2014, will be expunged, and Patent Owner shall file a Revised Preliminary Response by August 14, 2014, which only deletes material from the Preliminary Response, and which deletes all assertions of intentional misconduct and any requests for imposition of sanction.

IPR2014-00674  
Patent 7,047,482

PETITIONER:

Steven S. Yu

ROZMED LLC

[syu@patent-intercept.com](mailto:syu@patent-intercept.com)

John J. Yim

JOHN J. YIM & ASSOCIATES LLC

[jyim@yimassociates.com](mailto:jyim@yimassociates.com)

PATENT OWNER:

Eugenio J. Torres-Oyola

Victor M. Rodriguez-Reyes

FERRAIUOLI LLC

[etorres@ferraiuoli.com](mailto:etorres@ferraiuoli.com)

[vrodriguezreyes@ferraiuoli.com](mailto:vrodriguezreyes@ferraiuoli.com)