

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. § 42.5*

A conference call was held on September 3, 2014 and attended by the above-identified panel members and respective counsel for the parties. The call was requested by Patent Owner to discuss Patent Owner's request for authorization to file a motion to terminate.

Patent Owner seeks to file a motion for sanctions pursuant to 37 C.F.R. § 42.12(a). Patent Owner argues that such a motion is warranted because the purpose of the Petitioner's business model is to circumvent the statutory bar created by 35 U.S.C. § 315(b) and the efficiencies created by estoppel. Furthermore, Patent Owner argues that allowing the Petitioner to proceed with its petition amounts to harassment against the Patent Owner.

Petitioner opposes the request for authorization to file a motion for sanctions. Petitioner argues that 35 U.S.C. § 311(a) states that "a person who is not the owner of a patent may file with the Office a petition to institute an *inter partes* review. . . ." Petitioner further argues that it is a third party with no relationship to any parties involved in lawsuits involving the Patent Owner.

A motion for sanctions based on alleged misconduct may not be filed without prior Board authorization. *See* 37 C.F.R. § 42.20(b). Based on the arguments presented, we determine that Patent Owner has presented an insufficient basis for its request for authorization to file a motion for sanctions because Patent Owner fails to cite any conduct by Petitioner that constitutes misconduct as delineated in 37 C.F.R. § 42.12(a). Accordingly, Patent Owner's request for authorization to file a motion for sanctions is denied.

Accordingly, it is

ORDERED that Patent Owner's request for authorization to file a motion for sanctions is DENIED.

IPR2014-00674  
Patent 7,047,482

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