

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GREAT WEST CASUALTY COMPANY,
BITCO GENERAL INSURANCE CORPORATION, and
BITCO NATIONAL INSURANCE COMPANY,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Cases IPR2016-00453
Patent 7,516,177 B2

Before MICHAEL W. KIM, PETER P. CHEN, and ROBERT A. POLLOCK,
Administrative Patent Judges.

KIM, *Administrative Patent Judge.*

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

On February 22, 2016, a conference call was held between counsel for Petitioner and Patent Owner, as well as Judges Kim, Chen, and Pollock. A court reporter provided by Patent Owner was also on the call. During the call, Petitioner requested authorization to file a Motion for Joinder to join this proceeding with

IPR2015-01706, which is directed to the same patent and in which a trial was instituted on February 9, 2016, in order to obtain certain scheduling and logistical efficiencies. Patent Owner opposed the request because, among other reasons, the five month gap between the filing of the relevant Petitions would make any logistical accommodations necessary to synchronize the proceedings prejudicial primarily to Patent Owner. We also note that the uncertainty as to the status of claims 13–15, which were not instituted on in IPR2015-01706 but are challenged in this proceeding, adds additional complexity to any potential joinder.

Accordingly, it is

ORDERED that Petitioner's request for authorization to file a Motion for Joinder is DENIED for the above reasons, as well as for the reasons set forth during the call; and

FURTHER ORDERED that Patent Owner file a transcript of the call as Exhibit 2001, within ten (10) business days.

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