

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIBERTY MUTUAL INSURANCE CO.,
Petitioner,

v.

PROGRESSIVE CASUALTY INSURANCE CO.,
Patent Owner.

Case CBM2013-00009
Patent 8,140,358

Before JAMESON LEE, JONI Y. CHANG, and
MICHAEL R. ZECHER, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*

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

On March 25, 2014, a telephone conference call was held. The participants were respective counsel for the parties and Judges Lee, Chang, and Zecher. Patent Owner initiated the call, and arranged for the services of a court reporter. Counsel for Patent Owner agreed to file a copy of the transcript of the conference call.

The Board rendered a final written decision on February 11, 2014. Paper 68. Patent Owner filed a Request for Rehearing on March 12, 2014. Paper 71. Petitioner filed a Request for Rehearing on March 13, 2014. Paper 73.

Counsel for Patent Owner explained that it makes two requests, in the alternative: (1) authorization for filing a “Motion to Strike” Petitioner’s Request for Rehearing, because it cannot reasonably be deemed a Request for Rehearing; and (2) an opportunity to respond to Petitioner’s Request for Rehearing. Counsel for Petitioner indicated that if Patent Owner is granted an opportunity to respond to Petitioner’s Request for Rehearing, then Petitioner requests the opportunity to respond to Patent Owner’s Request for rehearing.

The Board authorized both Petitioner and Patent Owner to respond to the opposing party’s Request for Rehearing.

It is

ORDERED that Patent Owner is authorized to file a response, limited to 3 pages, by March 28, 2014, to Petitioner’s Request for rehearing (Paper 73); and

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FURTHER ORDERED that Petitioner is authorized to file a response, limited to 3 pages, by March 28, 2014, to Patent Owner's Request for Rehearing (Paper 71).

PETITIONER:

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