

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GTNX, INC.,
Petitioner,
v.
INTTRA, INC.,
Patent Owner.

Cases CBM2014-00072 (Patent 7,756,794 C2)
CBM2014-00073 (Patent 7,761,387 C1)
CBM2014-00074 (Patent 7,752,142 B2)
CBM2014-00075 (Patent 7,827,119 C1)¹

Before LORA M. GREEN, WILLIAM A. CAPP, and
FRANCES L. IPPOLITO, *Administrative Patent Judges*.

GREEN, *Administrative Patent Judge*.

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

¹ This order addresses issues that are the same in the identified cases. We exercise our discretion to issue one order to be filed in each case. The parties are authorized to use this style heading when filing a single paper in both proceedings, provided that such heading includes a footnote attesting that “the word-for-word identical paper is filed in each proceeding identified in the heading.”

CBM2014-00072 (Patent 7,756,794 C2)
CBM2014-00073 (Patent 7,761,387 C1)
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A conference was held on Thursday, October 16, 2014, between Michael Rosato, counsel for Petitioner, GTNX, INC.; Michael Lyons, counsel for Patent Owner INTTRA, INC.; and Administrative Patent Judges Green, Capp, and Ippolito. Patent Owner requested the conference call to request authorization to file a motion to dismiss the instituted covered business reviews based on *Securebuy, LLC v. Cardinalcommerce Corp.*, Case CBM2014-00035 (PTAB April 25, 2014) (Paper 12) (Precedential).

Specifically, Patent Owner asserted that it was undisputed that Petitioner filed a Declaratory Judgment Action challenging the validity of the patents before filing the petitions seeking CBM review, citing Exhibit 1020 (Petitioner's Complaint for Declaratory Judgment, filed May 2011). Petitioner stated it would oppose any such dismissal of the instituted covered business method reviews.

Accordingly, it is

ORDERED that Patent Owner is authorized to file a 10 page motion seeking dismissal of the instituted covered business reviews, which motion is due by October 17, 2014; and

FURTHER ORDERED that Petitioner is authorized to file a 10 page opposition, which opposition is due by October 29, 2014.

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CBM2014-00074 (Patent 7,752,142 B2)
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