

ORDER
Motion Times
Bd.R. 104(c)

A. CONFERENCE CALL

A telephone conference call was held on @ at approximately @:@ a/p.m., involving:

1. @, counsel for @,
2. @, counsel for @, and
3. @, Administrative Patent Judge.

B. RELEVANT DISCUSSION DURING CONFERENCE CALL

The principal purpose of the conference call was to set times for taking action on motions (other than miscellaneous motions) in the interference.

@Motions on priority issues are deferred.

@insert any additional relevant discussion.

C. TIME PERIODS ASSOCIATED WITH MOTIONS

In accordance with discussion during the telephone conference call, the TIME PERIODS described below are set out in an Appendix to this ORDER. Action specified for each TIME PERIOD must be completed by the date specified for the TIME PERIOD.

The parties are authorized to stipulate different times (earlier or later, but not later than TIME PERIOD 7) for TIME PERIODS 1 through 6. A notice of the stipulation must be promptly filed. The notice must be in the form of a copy of the Appendix attached to this ORDER with old dates crossed out and new dates

inserted by hand. The parties may not stipulate an extension of TIME PERIOD 7 or the default date for oral argument. In stipulating different times, the parties should consider the effect of the stipulation on times:

- (1) to object to evidence (5 business days, Bd.R. 155(b)(1)),
- (2) to supplement evidence (10 business days, Bd.R. 155(b)(2)),
- (3) to begin cross examination (no earlier than 21 days after service, SO & 157.3.1) and
- (4) to conclude cross examination (at least 10 days before the opposition or reply is due, SO & 157.3.2).

1. TIME PERIOD 1

File all authorized motions.

If no party files a motion, the SENIOR PARTY must arrange a conference call with the parties and the Board so that appropriate adjustments to the schedule may be made.

2. TIME PERIOD 2

File any responsive motions (Bd.R. 121(a)(2)) in response to an opponent's motion filed during TIME PERIOD 1.

3. TIME PERIOD 3

File oppositions to all motions, including responsive motions.

4. TIME PERIOD 4

File replies to all oppositions.

5. TIME PERIOD 5

- a. File any request for oral argument on motions,
- b. File motions to exclude evidence (Bd.R. 155(c); SO ¶ 155.2), and
- c. File observations on cross examination (SO ¶ 157.7) of reply testimony.

6. TIME PERIOD 6

- a. File oppositions to an opponent's motion to exclude evidence and
- b. File any response to observations.

7. TIME PERIOD 7

File replies to oppositions to motions to exclude evidence.

D. PRIORITY STATEMENTS

1. At TIME PERIOD 1, file but do not serve a priority statement (Bd.R. 120; Bd.R. 204(a)).
2. When filing the priority statement, the filer may use the "Confidential" setting for the Public Access status.
3. A junior party who does not file a priority statement shall not have access to the priority statement of any other party.
4. **One (1) business day** after TIME PERIOD 1, serve a copy of the priority statement upon each opponent (except for a junior party barred under D.3 above).

E. FILING EXHIBITS

A document larger than 50MB cannot be filed online. If a party needs to file a document larger than 50MB, unless otherwise instructed by order, please contact the board at the telephone number above to make other arrangements, such as sending a CD-ROM by Express Mail.

F. DEFAULT ORAL ARGUMENT DATE

If a request for oral argument (Bd.R. 124(a); TIME PERIOD 5) is granted, the default date for such argument is the date provided in the appendix below. No oral argument will occur if either no argument is requested or granted.

cc (via @):

Attorney for @

Attorney for @

Revised 27 November 2013

APPENDIX--ORDER - RULE 123(a)
(Times for substantive motions; priority deferred)

Interference 105,@ (@)

TIME PERIOD 1@6 weeks

File motions

File (but serve one business day later) priority statements

TIME PERIOD 2@3 weeks

File responsive motions to motions

filed in TIME PERIOD 1

TIME PERIOD 3@6 weeks

File oppositions to all motions

TIME PERIOD 4@6 weeks

File all replies

TIME PERIOD 5@6 weeks

File request for oral argument

File motions to exclude

File observations

TIME PERIOD 6@3 weeks

File oppositions to motions to exclude

File response to observations

TIME PERIOD 7@2 weeks

File replies to oppositions to motions to exclude

DEFAULT ORAL ARGUMENT DATE@2 weeks

Default oral argument date (if ordered)