

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SALESFORCE.COM, INC.
Petitioner

v.

VIRTUALAGILITY, INC.
Patent Owner

Case CBM2013-00024
Patent 8,095,413

Before JAMESON LEE, *Administrative Patent Judge*.

ORDER
Conduct of Proceedings
37 C.F.R. § 42.05

On June 24, 2014, a conference call was held between respective counsel for the parties and Judge Lee. Counsel for Patent Owner initiated the call, to request an opportunity for the parties to file a memorandum discussing the recent decision of the United States Supreme Court in *Alice Corp. Pty. Ltd. v. CLS Bank Int'l.*, 2014 WL 2765283 (June 19, 2014). Counsel for Petitioner indicated that there is no need for further briefing of any kind because the Supreme Court's decision did not change any pre-existing law. Counsel for Patent Owner responded by noting that the decision is important in focusing and clarifying the law and the Patent Owner would like to discuss its significance with regard to the law with regard to 35 U.S.C. § 101. Counsel for Patent Owner proposed that each party be authorized to file a paper, 7 to 8 pages in length, by July 7, 2014, to address the new decision.

Upon inquiry, counsel for Patent Owner further indicated that he would be satisfied with an opportunity, in the requested filing, simply to discuss the law and not to apply that law to the Patent Owners claims.

It is

ORDERED that each party is authorized to file, by July 7, 2014, a paper to discuss the Supreme Court's decision in *Alice Corp. Pty. Ltd. v. CLS Bank Int'l.*, 2014 WL 2765283 (June 19, 2014), with regard to how it changed, affected, or left alone, the pre-existing law; and

FURTHER ORDERED that the paper is limited to 5 pages in length and should not discuss the challenged claims in this proceeding.

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For PETITIONER:

Michael Rosato

Brian Range

Jose Villarreal

mrosato@wsgr.com

brange@wsgr.com

jvillarreal@wsgr.com

For PATENT OWNER

Gregory Gonsalves

Jay Kesan

gonsalves@gonsalveslawfirm.com

jay@kesan.com