

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QUALTRICS, LLC,  
Petitioner,

v.

OPINIONLAB, INC.,  
Patent Owner.

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Cases<sup>1</sup>

IPR2014-00356 (Patent 6,606,581 B1)  
IPR2014-00366 (Patent 8,041,505 B2)  
IPR2014-00406 (Patent 7,085,820 B1)  
IPR2014-00420 (Patent 7,370,285 B1)  
IPR2014-00421 (Patent 8,024, 668 B2)

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Before RAMA G. ELLURU, JEREMY M. PLENZLER, GEORGIANNA W. BRADEN, and CARL M. DEFRANCO, *Administrative Patent Judges*.

BRADEN, *Administrative Patent Judge*.

ORDER

Trial Hearing  
37 C.F.R. § 42.70

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<sup>1</sup> This Order applies to each of the five listed cases. We exercise our discretion to issue one Order to be docketed in each case. The parties, however, are not authorized to use this caption for any subsequent papers.

IPR2014-00356 (Patent 6,606,581 B1)  
IPR2014-00366 (Patent 8,041,805 B2)  
IPR2014-00406 (Patent 7,085,820 B1)  
IPR2014-00420 (Patent 7,370,285 B1)  
IPR2014-00421 (Patent 8,024,668 B2)

On March 9, 2015, a conference call was held involving Robert Steinberg for Petitioner, Naveen Modi and Christopher Kennerly for Patent Owner, and Judge Braden. The purpose of the call was to reset the date for oral hearing. The Revised Scheduling Order for this case sets the date for oral hearing for April 16, 2015, if a hearing is requested by the parties and granted by the Board. Paper 22.<sup>2</sup> Both parties have requested oral hearing pursuant to 37 C.F.R. § 42.70. Papers 40, 41. Petitioner's and Patent Owner's requests for oral hearing are *granted*. As discussed during the conference call, logistics at the Board require moving the hearing date from April 16, 2015 to April 22, 2015. Both parties agree to the new hearing date.

Each party will have ninety (90) minutes of total time to present arguments. Petitioner will proceed first to present its case as to the challenged claims. Thereafter, Patent Owner will respond to Petitioner's case and also present its case with regard to the motion to amend claims. Each party may reserve rebuttal time.

The hearing will commence at 1:00 PM Eastern Time, on April 22, 2015, and it will be open to the public for in-person attendance, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. In-person attendance will be accommodated on a first-come-first-served basis.

Under 37 C.F.R. § 42.70(b), the parties shall serve any demonstrative exhibits upon each other at least five business days prior to the hearing. The parties also shall provide the demonstrative exhibits to the Board at least five business days prior to the hearing by emailing them to [Trials@uspto.gov](mailto:Trials@uspto.gov). The parties shall not file any demonstrative exhibits in this proceeding without prior

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<sup>2</sup> Citations are to IPR2014-00356.

IPR2014-00356 (Patent 6,606,581 B1)  
IPR2014-00366 (Patent 8,041,805 B2)  
IPR2014-00406 (Patent 7,085,820 B1)  
IPR2014-00420 (Patent 7,370,285 B1)  
IPR2014-00421 (Patent 8,024,668 B2)

authorization from the Board. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65) for guidance regarding the appropriate content of demonstratives.

The parties must file any objections to the demonstratives with the Board at least two business days before the hearing. Any objection to demonstrative exhibits that is not timely presented will be considered waived. The objections should identify with particularity which demonstratives are subject to objection, and include a short (one sentence or less) statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider the objections and schedule a conference if deemed necessary. Otherwise, the Board will reserve ruling on the objections until after the oral argument.

The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing. The parties are reminded that, during the hearing, the presenter must identify clearly and specifically each demonstrative exhibit (e.g., by slide or screen number) referenced to ensure the clarity and accuracy of the reporter's transcript.

The Board expects lead counsel for each party to be present at the hearing, although any backup counsel may make the actual presentation, in whole or in part. If any lead counsel will not be in attendance at hearing, the Board should be notified via a joint telephone conference call no later than two days prior to the hearing to discuss the matter.

IPR2014-00356 (Patent 6,606,581 B1)  
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IPR2014-00421 (Patent 8,024,668 B2)

Any special requests for audio visual equipment should be directed to [Trials@uspto.gov](mailto:Trials@uspto.gov). Requests for special equipment will not be honored unless presented in a separate communication directed to the above email address not less than five days before the hearing.

The parties should note that at least one member of the panel will be attending the oral hearing electronically from a remote location.

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