

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CAMELBAK PRODUCTS, LLC,
Petitioner,

v.

IGNITE USA, LLC,
Patent Owner.

Case IPR2015-01034
Patent 8,863,979 B2

Before SALLY C. MEDLEY, KEN B. BARRETT, and
AMANDA F. WIEKER, *Administrative Patent Judges*.

WIEKER, *Administrative Patent Judge*.

ORDER
Requests for Oral Argument
37 C.F.R. § 42.70

The Scheduling Order (Paper 16) for this proceeding provided that an oral hearing would be conducted if the hearing is requested by the parties and granted by the Board. Petitioner and Patent Owner requested oral hearing pursuant to 37 C.F.R. § 42.70. Papers 27, 28. The requests are *granted*.

Each party will have thirty (30) minutes to present arguments. Petitioner bears the ultimate burden of proof that Patent Owner's claims at issue in this review are unpatentable. Therefore, Petitioner will open the hearing by presenting its case regarding the challenged claims for which the Board instituted trial. After Petitioner's presentation, Patent Owner will respond to Petitioner's argument. Petitioner may reserve rebuttal time to respond to argument presented by Patent Owner.

The hearing will commence at 10:00 AM Eastern Time on May 9, 2016, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing. The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis.

The parties are reminded that under 37 C.F.R. § 42.53(f)(7), a proponent of deposition testimony must file such testimony as an exhibit. The Board will not consider any deposition testimony that has not been so filed.

Furthermore, under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing date. They shall be filed at the Board two business days prior to the hearing, and the parties must initiate a conference call with the Board by two business days prior to

the hearing to resolve any dispute over the propriety of each party's demonstrative exhibits. Any dispute over the propriety of demonstrative exhibits that is not timely presented two business days prior to the hearing will be considered waived. The parties are directed to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033, Paper 118 (October 23, 2013), regarding the appropriate content of demonstrative exhibits.

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

The Board expects lead counsel for each party to be present in person at the oral hearing. However, any counsel of record may present the party's argument. If either party expects that its lead counsel will not be attending the oral argument, the parties should initiate a joint telephone conference with the Board no later than two business days prior to the oral hearing to discuss the matter.

Any special requests for audiovisual equipment should be directed to Trials@uspto.gov. Requests for special equipment will not be honored unless presented in a separate communication not less than five days before the hearing, directed to the above email address.

It is:

ORDERED that oral arguments in this proceeding shall take place beginning at 10:00 AM Eastern Time on May 9, 2016, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia.

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