

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner,

v.

VEDANTI LICENSING LIMITED,¹
Patent Owner.

Case IPR2016-00212²
Patent 7,974,339 B2

Before MICHAEL R. ZECHER, JUSTIN T. ARBES, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

ORDER
Trial Hearing
35 U.S.C. § 316(a)(10) and 37 C.F.R. § 42.70(a)

¹ On October 11, 2016, Patent Owner filed updated mandatory notices (Paper 18) indicating that Vedanti Systems Limited assigned the challenged patent to Vedanti Licensing Limited. The case caption, therefore, is modified accordingly.

² Case IPR2016-00215 has been consolidated with this proceeding.

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Petitioner and Patent Owner each request an oral hearing pursuant to 37 C.F.R. § 42.70(a). *See* Papers 32, 34. The parties' requests are *granted*.

Each party will have 50 minutes to present its arguments. Petitioner bears the ultimate burden of proof that the challenged claims are unpatentable. *See* 35 U.S.C. § 316(e). Therefore, at the hearing, Petitioner will proceed first to present its case as to the challenged claims, and Petitioner may reserve rebuttal time. Patent Owner then will respond to Petitioner's case and present its case regarding the motion to amend. Patent Owner may reserve rebuttal time to address Petitioner's arguments regarding the motion to amend, if any. After that, Petitioner may use the rest of its time to respond to Patent Owner's presentation. Patent Owner then may use the rest of its time to respond to Petitioner's arguments regarding the motion to amend only.

The hearing will take place at **10:00 AM ET on Tuesday, February 14, 2017**. The hearing 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. The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing. If the parties have any concern about disclosing confidential information, they are to contact the Board at least ten days before the hearing to discuss the matter.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least seven business days prior to the hearing. The parties shall meet and confer regarding any objections to demonstrative exhibits, and the parties shall file demonstrative exhibits with the Board at least three business days

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prior to the hearing. If any issues regarding demonstratives remain unresolved after the parties meet and confer, the parties shall file jointly a one-page list of objections at least three business days prior to the hearing. The list should identify with particularity which demonstrative exhibits are subject to objection and include a short statement (no more than one sentence) of the reason for each objection. No argument or further explanation is permitted. We will consider the objections and schedule a conference call, if necessary. Otherwise, we will reserve ruling on the objections until the hearing or after the hearing. Any objection to demonstrative exhibits that is not presented timely will be considered waived. Each party also shall provide a hard copy of its demonstrative exhibits to the court reporter at the hearing.

The parties are directed to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, Case IPR2013-00033, slip op. at 2–5 (PTAB Oct. 23, 2013) (Paper 118), regarding the appropriate content of demonstrative exhibits. The parties are reminded that the 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 Petitioner and Patent Owner to be present at the hearing, though any back-up counsel may make the actual presentation, in whole or in part. If lead counsel for any party will not be in attendance at the hearing, the Board should be notified via a joint conference call no later than three days prior to the hearing to discuss the matter.

Requests for audio-visual equipment at the hearing are to be made five days in advance of the hearing date. The requests must be sent to

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Trials@uspto.gov. If the requests are not received timely, equipment may not be available on the day of the hearing.

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