

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

CHANBOND LLC,
Patent Owner.

Case IPR2016-01744
Patent 7,941,822 B2

Before JONI Y. CHANG, JENNIFER S. BISK, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

HARLOW, *Administrative Patent Judge*.

ORDER
Oral Hearing
37 C.F.R. § 42.70

On March 3, 2017, we instituted the instant *inter partes* review (Paper 10), and issued a Scheduling Order (Paper 11), which set the date for oral hearing to November 1, 2017, if oral hearing is requested by either party and granted by the Board. Both parties request an oral hearing pursuant to 37 C.F.R. § 42.70. Papers 20 and 21. We grant those requests.

The parties each request 45 minutes of time to present their argument. Paper 20, 1; Paper 21, 1. Upon review of the record, we grant a total of 90 minutes of oral argument time, with 45 minutes allocated to each party.

The hearing will commence at 1:00 PM Eastern Time, on November 1, 2017, and will be conducted at the USPTO central headquarters located in Alexandria, Virginia. Each party will have 45 minutes of total time to present its arguments. At the oral hearing, Petitioner will proceed first to present its case as to the challenged claims and instituted grounds of unpatentability. Thereafter, Patent Owner will respond to Petitioner's case. After that, Petitioner will make use of the rest of its time responding to Patent Owner's presentation on all matters. Petitioner must confine any such rebuttal to subject matter expressly addressed during Patent Owner's argument.

The hearing will be open to the public for in-person attendance at the USPTO central headquarters, the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia, 22314. 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.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served no later than seven business days before the hearing date. They shall be filed with the Board no later than the time of oral argument. Because the hearing will be open to the public, any demonstrative exhibits shall not contain any information alleged to be confidential by either party. The parties must initiate a conference call with the Board at least two business days prior to the hearing to resolve any dispute over the propriety of each party's demonstrative exhibits. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, Case IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits. *See also CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, Case IPR2013-00033 (PTAB Oct. 23, 2013) (Paper 118) (The Board has the discretion to limit the parties' demonstratives to pages in the record should there be no easy resolution to objections over demonstratives.).

The Board expects lead counsel for each party to be present at oral hearing, although any backup counsel may make the actual presentation, in whole or in part. If lead counsel for either party is unable to attend the oral argument, the Board should be notified via a joint telephone conference call no later than two business days prior to the oral hearing to discuss the matter.

Any requests regarding special equipment or needs, such as for audio visual equipment, should be directed to Trials@uspto.gov. Requests for audio-visual equipment are to be made at least five business days in advance

of the hearing date. Judge Harlow will participate in the hearing remotely, from Denver, Colorado. If a demonstrative is not made available to the Board in the manner indicated above, that demonstrative may not be available to each of the judges during the hearing and may not be considered. Further, images projected, using audio visual equipment in Alexandria, will not be visible to Judge Harlow in Denver. Because of limitations on the audio transmission systems in our hearing rooms, the presenter may speak only when standing at the hearing room podium. 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. If the parties have questions as to whether demonstrative exhibits would be sufficiently visible and available to all of the judges, the parties are invited to contact the Board at (571) 272-9797.

IPR2016-01744
Patent 7,941,822 B2

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