

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NIKE INC.,  
Petitioner,

v.

JEZIGN LICENSING, LLC,  
Patent Owner.

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Case IPR2017-00246  
Patent 6,837,590 B2

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Before KRISTEN L. DROESCH, PHILLIP J. KAUFFMAN, and  
RAMA G. ELLURU, *Administrative Patent Judges*.

DROESCH, *Administrative Patent Judge*.

ORDER  
*Oral Argument*  
37 C.F.R. § 42.70

*Inter partes* review was instituted on March 30, 2017. Paper 12.  
Petitioner requested oral argument pursuant to 37 C.F.R. § 42.70. Paper 26.  
Patent Owner did not request oral argument. Petitioner's request is  
GRANTED.

Specifically, the hearing will commence at **4:10 PM CST, on  
February 28, 2018**. Please note that the location of the oral hearing is  
**Tulane Law School, Weinmann Hall, Room 110, 6329 Freret Street,**

**New Orleans, LA 70118**, to coincide with the PTAB/TTAB Live Hearing Stadium Tour at Tulane Law School. The New Orleans hearing location was discussed with the parties during a conference call on November 21, 2017. In follow-up emails to the Board on November 30, 2017 and December 1, 2017, the parties confirmed agreement to hold the hearing in New Orleans on February 28, 2018.

Petitioner did not request a specific amount of time for argument. *See* Paper 26. Accordingly, based on the record, we determine each party will have thirty (30) minutes total time to present arguments for the case.

Petitioner will proceed first to present its case with respect to the challenged claims and grounds for which the Board instituted trial. Thereafter, Patent Owner will respond to Petitioner's presentation. Petitioner may reserve rebuttal time to respond to Patent Owner's presentation.

The hearing will be open to the public as part of the February 28, 2018, PTAB/TTAB Live Hearing Stadium Tour at Tulane Law School. 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 seven (7) business days before the hearing. The parties also shall provide the demonstrative exhibits to the Board no later than two (2) business days before the hearing by emailing a copy of the demonstrative exhibits to [Trials@uspto.gov](mailto:Trials@uspto.gov). We waive the requirement under 37 C.F.R. § 42.70(b) that demonstrative exhibits be filed no later than the time of oral argument. The parties shall not file any demonstrative exhibits in this proceeding without prior 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 January 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits.

The Board expects the parties will meet and confer in good faith to resolve any objections to demonstrative exhibits. If such objections cannot be resolved, the parties may file any objections to demonstratives with the Board at least two (2) business days before the hearing. The objections should identify with particularity which portions of the demonstrative exhibits are subject to objection, include a copy of the objected-to portions, and include a one-sentence statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider any objections and schedule a conference call if deemed necessary. Otherwise, the Board will reserve ruling on the objections. Any objection to demonstrative exhibits that is not timely presented will be considered waived.

The parties are reminded that during oral hearing 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 each party to be present in person at the oral hearing. However, lead or backup counsel may present the party's argument. If either party anticipates that its lead counsel will not attend the oral argument, that party should initiate a joint telephone

conference with the Board no later than two (2) business days prior to the oral hearing to discuss the matter.

A projector, projector screen, and document camera are available for the parties' use. Any special requests for additional audio visual equipment should be directed to Stacy E. Seicshnaydre, Dean of Experiential Learning and Public Interest Programs and William K. Christovich Professor, Tulane Law School, sseicshn@tulane.edu. Requests for special equipment will not be honored unless presented in a separate communication directed to the above email address not less than one week before the hearing.

Accordingly, it is:

ORDERED that oral hearing, conducted pursuant to the procedures outlined above, shall commence at 4:10 PM CST, on February 28, 2018, at Tulane Law School, Weinmann Hall, Room 110, 6329 Freret Street, New Orleans, LA 70118.

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Patent 6,837,590 B2

PETITIONER:

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