

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WILLIS ELECTRIC COMPANY, LIMITED,
Petitioner,

v.

POLYGROUP MACAU LTD (BVI),
Patent Owner.

IPR2017-00309 (Patent 8,863,416 B2)
IPR2017-00331¹ (Patent 9,119,495 B2)
IPR2017-00334² (Patent 8,959,810 B2)

Before WILLIAM V. SAINDON, JEREMY M. PLENZLER, and
BARBARA A. PARVIS, *Administrative Patent Judges*.

PLENZLER, *Administrative Patent Judge*.

ORDER
Trial Hearing
37 C.F.R. § 42.70

¹ IPR2017-00332 has been consolidated with this proceeding.

² IPR2017-00335 has been consolidated with this proceeding.

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The parties have requested an oral hearing pursuant to 37 C.F.R. § 42.70. Paper 41 (Patent Owner's Request); Paper 42 (Petitioner's Request).³ The request for an oral hearing is granted. The oral hearing will commence following the hearing in IPR2016-01781 after a brief intermission. The hearing in IPR2016-01781 is scheduled to begin at 1:00 PM Eastern Time on February 5, 2018, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. That hearing will include a total of one hour of argument time (thirty minutes per side). A trial hearing order is issued concurrently in that proceeding.

The oral hearing will be held jointly and simultaneously for each of the above-identified IPRs. The panel encourages the parties not to use the oral argument time to provide an overview of their case. Instead, the panel encourages each party, after some initial remarks, to focus on specific issues it would like to highlight or clarify, starting with those the party deems most important to discuss with the Board. It is the panel's experience that long slide decks sequentially stepping through each issue in the case is not the most effective use of the hearing. The panel will make its decision based on the written briefs; oral hearing is the parties' opportunity to clarify the panel's understanding of the evidence and the parties' positions in the briefs.

Each side will have sixty minutes to present arguments. Petitioner bears the ultimate burden of proof that the claims at issue in this review are unpatentable. Petitioner will, therefore, begin by presenting its case regarding the challenged claims and grounds for which the Board instituted

³ Citations are to papers in IPR2017-00309. IPR2017-00331 and IPR2017-00334 have similar papers.

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trial in the proceeding. Patent Owner will then respond to Petitioner's arguments. Petitioner may reserve time to reply to arguments presented by Patent Owner. Patent Owner will not have a sur-reply to address any rebuttal from Petitioner.

The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis. The Board will provide a court reporter, and the transcript shall constitute the official record of the hearing and be entered in each proceeding.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing. The parties also shall provide a courtesy copy of any demonstrative exhibits to the Board by the end of day, January 30, 2018, by emailing them to Trials@uspto.gov. The parties shall not file any demonstrative exhibits in this proceeding without prior authorization from the Board. For guidance on what constitutes an appropriate demonstrative exhibit, the parties are directed to Paper 118 in *CBS Interactive Inc. v. Wireless Sciences LLC*, IPR2013-00033 (PTAB October 23, 2013). No live testimony from any witness will be taken at the oral argument.

One member of the panel from a PTO regional office will be attending the conference via remote video link. Physical exhibits and the projector screen will not be viewable to this judge. The parties should prepare accordingly; all requests to provide physical exhibits or examples are denied. Questions regarding specific audio-visual equipment should be directed to the Board at (571) 272-9797. Requests for audio-visual equipment are to be made no later than five days in advance of the hearing date. The request is to

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be sent to Trials@uspto.gov, and any requests not sent separately and specifically to that email address will not be considered. If the request is not received timely, the equipment may not be available on the day of the hearing.

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