

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

GOOGLE LLC,  
Petitioner,

v.

UNILOC USA, INC. and UNILOC LUXEMBOURG, S.A.,  
Patent Owner.

---

Case IPR2017-01683 (Patent 8,571,194 B2)  
Case IPR2017-01684 (Patent 7,853,000 B2)  
Case IPR2017-01685 (Patent 7,804,948 B2)<sup>1</sup>

---

Before KARL D. EASTHOM, KEN B. BARRETT, JEFFREY S. SMITH,  
and MINN CHUNG, *Administrative Patent Judges*.<sup>2</sup>

BARRETT, *Administrative Patent Judge*.

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

---

<sup>1</sup> This Order will be entered in each case. The parties are not authorized to use this caption style.

<sup>2</sup> This is not an order from an expanded panel of the Board. Judges Easthom, Smith, and Chung are paneled on IPR2017-01683. Judges Easthom, Barrett, and Smith are paneled on IPR2017-01684 and IPR2017-01685.

IPR2017-01683 (Patent 8,571,194 B2)  
IPR2017-01684 (Patent 7,853,000 B2)  
IPR2017-01685 (Patent 7,804,948 B2)

Petitioner Google LLC and Patent Owner Uniloc 2017 LLC,<sup>3</sup> in each of the above-captioned cases, requested oral argument pursuant to 37 C.F.R. § 42.70(a), and both parties request a single consolidated argument for all three cases. *E.g.*, IPR2017-01683, Papers 18, 19.<sup>4</sup> The requests are *granted*.

**The hearing will commence at 1:00 PM ET, on Tuesday, October 16, 2018, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia.**<sup>5</sup> The hearings 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 reporter's transcript will constitute the official record of the hearings.

As proposed by both parties, each party will have a total of forty-five (45) minutes to present arguments for all three cases. Petitioner bears the ultimate burden of proof that Patent Owner's patent claims at issue are unpatentable. Thus, Petitioner will proceed first to present its case with respect to the challenged patent claims and grounds for which the Board instituted trial; thereafter, Patent Owner will respond to Petitioner's

---

<sup>3</sup> Patent Owner previously filed Updated Mandatory Notices identifying Uniloc 2017 LLC as the patent owner. *E.g.*, IPR2017-01683, Paper 17.

<sup>4</sup> Unless otherwise indicated, we refer to the papers filed in IPR2017-01683. The parties filed substantively similar papers in the other cases listed in the caption.

<sup>5</sup> We acknowledge Patent Owner's request to hold the hearing in Dallas, Texas. The judges paneled on these cases are located in Virginia and California, but not Texas.

IPR2017-01683 (Patent 8,571,194 B2)  
IPR2017-01684 (Patent 7,853,000 B2)  
IPR2017-01685 (Patent 7,804,948 B2)

arguments; and Petitioner may reserve some of its argument time to respond to Patent Owner's presentation.

The parties also should note that at least one member of the panel may be attending the hearing by video from a remote location. 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 and the ability of any judge participating in the hearing remotely to closely follow the presenter's arguments.

The parties are reminded that the demonstrative exhibits must be served and filed in accordance with 37 C.F.R. § 42.70(b). Additionally, the parties are requested either to file any demonstrative exhibits no later than 4 pm ET on Monday, October 15, 2018, or to provide a courtesy copy of any demonstrative exhibits to the Board by emailing them to [Trials@uspto.gov](mailto:Trials@uspto.gov) no later than that date and time.

The parties must attempt to resolve any objections to the demonstratives, and, if the objections cannot be resolved, the parties must file them with the Board at least two business days before the hearing. Any objection to demonstrative exhibits that is not timely presented will be considered waived. The objections should identify with particularity which demonstratives are subject to objection, and include a short (one sentence or less) statement of the reason for each objection. **No argument or further explanation is permitted.** The Board will consider the objections and schedule a conference if deemed necessary. Otherwise, the Board will reserve ruling on the objections until after the oral argument. The parties

IPR2017-01683 (Patent 8,571,194 B2)  
IPR2017-01684 (Patent 7,853,000 B2)  
IPR2017-01685 (Patent 7,804,948 B2)

may refer to *St. Jude Medical, Cardiology Div., Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65) regarding the appropriate content of demonstrative exhibits.

**Requests for audio-visual equipment are to be made five (5) business days in advance of the hearing date. Any request is to be sent to [Trials@uspto.gov](mailto:Trials@uspto.gov). If the request is not received timely, the equipment may not be available on the day of the hearing.**

The Board expects lead counsel for each party to be present at the hearings, although lead or back-up counsel of record may make the presentation. If either party anticipates that its lead counsel will not attend 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.

Attorneys seated at counsel table will be allowed to use computers. *See* IPR2017-01683, Paper 18, 1 (Petitioner requesting that three of its attorneys be allowed to use computers.).

The parties are reminded that, at the oral argument, they “may rely upon evidence that has been previously submitted in the proceeding and may only present arguments relied upon in the papers previously submitted.” Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). “No new evidence or arguments may be presented at the oral argument.” *Id.*

IPR2017-01683 (Patent 8,571,194 B2)  
IPR2017-01684 (Patent 7,853,000 B2)  
IPR2017-01685 (Patent 7,804,948 B2)

Accordingly, it is

ORDERED that oral argument will commence at 1:00 PM ET, on Tuesday, October 16, 2018, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia.

PETITIONER:

Erika Arner  
[erika.arner@finnegan.com](mailto:erika.arner@finnegan.com)

Jason Stach  
[jason.stach@finnegan.com](mailto:jason.stach@finnegan.com)

Daniel Cooley  
[daniel.cooley@finnegan.com](mailto:daniel.cooley@finnegan.com)

Cara Lasswell  
[cara.lasswell@finnegan.com](mailto:cara.lasswell@finnegan.com)

PATENT OWNER:

Brett Mangrum  
[brett@etheridgelaw.com](mailto:brett@etheridgelaw.com)

Sean Burdick  
[sean.burdick@unilocusa.com](mailto:sean.burdick@unilocusa.com)

Ryan Loveless  
[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)