

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,  
Petitioner,

v.

IPA TECHNOLOGIES INC.,  
Patent Owner.

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Cases IPR2019-00810, IPR2019-00811,  
IPR2019-00812, IPR2019-00813, IPR2019-00814  
(Patent 6,851,115 B1)  
and  
Cases IPR2019-00835, IPR2019-00836,  
IPR2019-00837 (Patent 7,069,560 B1)

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Before LYNNE E. PETTIGREW, MINN CHUNG, and KEVIN C. TROCK,  
*Administrative Patent Judges.*

PER CURIAM.

ORDER<sup>1</sup>  
*Granting Requests for Oral Argument*  
*37 C.F.R. § 42.70*

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<sup>1</sup> We issue one Order to be filed in each case. The parties are not authorized to use a multi-case caption.

IPR2019-00810, IPR2019-00811, IPR2019-00812, IPR2019-00813, IPR2019-00814 (Patent 6,851,115 B1) and Cases IPR2019-00835, IPR2019-00836, IPR2019-00837 (Patent 7,069,560 B1)

On June 10, 2020, Petitioner and Patent Owner filed requests for oral argument in these proceedings. *See* Papers 32, 33.<sup>2</sup> The parties request that oral argument in cases IPR2019-00810, -811, -812, -813, and -814, currently scheduled for July 27, 2020, be consolidated with the oral argument for cases IPR2019-00835, -836, and -837, currently scheduled for July 28, 2020, given the substantial similarity in the issues between the proceedings. Paper 32, 1; Paper 33, 1. The parties request two hours (120 minutes) of argument per side for the consolidated hearing. *Id.* A conference call was held with counsel for the parties on July 14, 2020, to discuss the parties' hearing requests and other matters. During the conference call, the parties agreed to a consolidated hearing for all eight cases to be held on two consecutive days, July 27 and 28, 2020, limited to two hours of hearing each day. The parties agreed to confer and make a recommendation about how the allotted time might best be utilized by the parties each day.

The parties' requests for oral argument are *granted* to the extent we describe herein, and a consolidated oral argument for all eight cases will be held by video conference on July 27 and 28, 2020, commencing at 1:00 p.m. Eastern Time for two (2) hours each day. The Board expects lead counsel for each party to be present. However, lead or backup counsel may put forward a party's arguments. If either party anticipates that its lead counsel will not be present, the parties should initiate a joint telephone conference

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<sup>2</sup> Citations are to IPR2019-00810 unless otherwise noted.

IPR2019-00810, IPR2019-00811, IPR2019-00812, IPR2019-00813, IPR2019-00814 (Patent 6,851,115 B1) and Cases IPR2019-00835, IPR2019-00836, IPR2019-00837 (Patent 7,069,560 B1)

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

The parties are directed to contact the Board at least five (5) business days in advance of the hearing if there are any concerns about disclosing confidential information. The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

To facilitate planning, each party must contact PTAB Hearings at [PTABHearings@uspto.gov](mailto:PTABHearings@uspto.gov) five (5) business days prior to the oral hearing date to receive video set-up information. As a reminder, all arrangements and the expenses involved with appearing by video, such as the selection of the facility from which a party will attend by video, must be borne by that party. If a video connection cannot be established, the parties will be provided with dial-in connection information, and the oral hearing will be conducted telephonically. No party may attend the hearing at any USPTO location.

If one or both parties would prefer to participate in the oral hearing telephonically, they should notify PTAB Hearings at the above email address five (5) business days prior to the hearing to receive dial-in connection information.

Each party will have one hundred twenty (120) minutes of *total* argument time for the consolidated hearing. Petitioner bears the ultimate burden of proof that the challenged claims are unpatentable. Therefore, subject to the parties' recommendation, Petitioner will proceed first, and will

IPR2019-00810, IPR2019-00811, IPR2019-00812, IPR2019-00813, IPR2019-00814 (Patent 6,851,115 B1) and Cases IPR2019-00835, IPR2019-00836, IPR2019-00837 (Patent 7,069,560 B1)

present its arguments with regard to the challenged claims and grounds on which we instituted trial. Petitioner may reserve some of its time for rebuttal. Patent Owner may respond to Petitioner's arguments and present arguments with regard to Patent Owner's Motion to Exclude, and may also reserve some of its time for rebuttal. Petitioner may then use its rebuttal time to respond to Patent Owner's arguments, and Patent Owner may use its rebuttal time to respond to Petitioner's arguments. As noted above, because this is a consolidated hearing being held over two consecutive days, the parties may recommend an agreed procedure for utilizing the allotted time for each day.

Under 37 C.F.R. § 42.70(b), any demonstrative exhibits to be presented at the hearing should be served seven (7) business days before the hearing. The parties, however, have requested permission to stipulate to a shorter period of time in these cases, which we grant. Any demonstratives, however, shall be filed with the Board no later than **three (3) business days** before the hearing. Any objection to demonstrative exhibits should be resolved at least two (2) business days prior to the hearing by way of a joint telephone conference call to the Board. Any objection to demonstrative exhibits that is not timely presented will be considered waived. For guidance on appropriate content in demonstrative exhibits, the parties are directed to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033, Paper 118 (PTAB Oct. 23, 2013).

The panel will have access to all papers filed with the Board, including demonstratives. The parties are reminded that demonstratives are

IPR2019-00810, IPR2019-00811, IPR2019-00812, IPR2019-00813, IPR2019-00814 (Patent 6,851,115 B1) and Cases IPR2019-00835, IPR2019-00836, IPR2019-00837 (Patent 7,069,560 B1)

for illustrative or explanatory purposes only and are not evidence themselves. During the oral hearing, the parties are advised to identify clearly and specifically each demonstrative referenced (e.g., by slide or screen number) to ensure the clarity and accuracy of the court reporter's transcript. In addition, the parties are advised to identify themselves each time they speak. Furthermore, the remote nature of the oral hearing may result in an audio lag, and the parties are advised to observe a pause prior to speaking to avoid speaking over others.

If the parties have any questions not specifically addressed above, they may contact the Board at [PTABHearings@uspto.gov](mailto:PTABHearings@uspto.gov).

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