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Paper 12 (CBM2014-00102)
Paper 12 (CBM2014-00106)
Paper 12 (CBM2014-00108)
Paper 11 (CBM2014-00112)
Entered: October 31, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SMARTFLASH LLC,
Patent Owner.

Cases¹

CBM2014-00102 (Patent 8,118,221 B2)
CBM2014-00106 (Patent 8,033,458 B2)
CBM2014-00108 (Patent 8,061,598 B2)
CBM2014-00112 (Patent 7,942,317 B2)

Before RAMA G. ELLURU, JEREMY M. PLENZLER, and
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

ELLURU, *Administrative Patent Judge*.

¹ This order addresses issues that are the same in all four cases. We exercise our discretion to issue one order to be filed in each case. The parties, however, are not authorized to use this style heading in subsequent papers.

CBM2014-00102 (Patent 8,118,221 B2)
CBM2014-00106 (Patent 8,033,458 B2)
CBM2014-00108 (Patent 8,061,598 B2)
CBM2014-00112 (Patent 7,942,317 B2)

ORDER

An initial conference call was held on Wednesday, October 29, 2014, among Steven Baughman and Ching-Lee Fukuda, representing Petitioner; Michael Casey, representing Patent Owner, and Judges Bisk, Elluru, Plenzler, and Clements.

Both Petitioner and Patent Owner filed a list of proposed motions. Papers 10 and 11². Petitioner indicated that it intended to file additional Covered Business Method petitions on October 30, 2014, to address non-instituted claims and raise additional grounds and move for joinder or at least coordination of schedules. We advised the parties that Petitioner could file a proposed schedule for those cases later in time, separately from the motions for joinder and/or coordination of schedules, so that Patent Owner could review the proposed schedule before it was filed.

We encouraged the parties to meet and confer on the taking of and use of video recorded deposition testimony. We further advised the parties that if the parties agree to a single deposition for a declarant, the parties can submit the same deposition transcript in each of the cases without our authorization. We encouraged the parties to keep such a transcript clear as to which proceeding is at issue during the deposition.

The parties did not raise any issues with the current Scheduling Order.

² Paper numbers refer to the CBM2014-00102 case.

CBM2014-00102 (Patent 8,118,221 B2)
CBM2014-00106 (Patent 8,033,458 B2)
CBM2014-00108 (Patent 8,061,598 B2)
CBM2014-00112 (Patent 7,942,317 B2)

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