

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESEARCH IN MOTION CORPORATION
Petitioner

v.

MOBILEMEDIA IDEAS LLC
Patent Owner

Case IPR2013-00016
Patent 6,441,828

Before SALLY C. MEDLEY, KEVIN F. TURNER, and JONI Y. CHANG,
Administrative Patent Judges.

CHANG, *Administrative Patent Judge*

ORDER
Trial Hearing
35 U.S.C. § 316(a)(10)

On March 18, 2013, the instant *inter partes* review was instituted. Paper 16. Both parties requested a hearing pursuant to 37 C.F.R. § 42.70. Papers 25 and 26. The requests are *granted*.

Each party will have sixty (60) minutes of total time to present arguments. BlackBerry, as petitioner, bears the ultimate burden of proof that the challenged claims of Patent 6,441,828 are unpatentable. Therefore, at the hearing, BlackBerry will proceed first to present its case as to the challenged claims on which basis the Board instituted trial.

Thereafter, MobileMedia will respond to BlackBerry's case, and also present its own case with regard to the motion to amend claims (Paper 21), as MobileMedia bears the burden of proof on its motion to amend claims. MobileMedia may reserve rebuttal time for its case as to the motion to amend claims.

After that, BlackBerry will make use of the rest of its time responding to MobileMedia's presentation on all matters. Finally, if MobileMedia reserves rebuttal time, MobileMedia will address only issues raised by BlackBerry regarding the motion to amend claims.

The hearing will commence at 3:30 PM, on October 18, 2013, and it will be open to the public for in-person attendance, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. In-person attendance will be accommodated on a first come first serve basis.

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 five business days before the hearing. They shall be filed at the Board two business days prior to the hearing, and the parties must initiate a conference call with the Board by two business days prior to the hearing to resolve any dispute over the propriety of each party's demonstrative exhibits.

The Board expects lead counsel for each party to be present at hearing, although any backup counsel may make the actual presentation, in whole or in part. If any lead counsel will not be in attendance at hearing, the Board should be notified via a joint telephone conference call no later than two days prior to the oral hearing to discuss the matter.

Case IPR2013-00016
Patent 6,441,828

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