

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABB, INC.
Petitioner

v.

ROY-G-BIV CORPORATION
Patent Owner

Case IPR2013-00062 (Patent 6,516,236)
Case IPR2013-00063 (Patent 6,513,058)
Case IPR2013-00074 (Patent 8,073,557)¹

Before THOMAS L. GIANNETTI, BRYAN F. MOORE, and
JENNIFER S. BISK, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

ORDER
Conduct of Proceeding
37 C.F.R. § 42.5

¹ This Order addresses a joint initial conference for these cases. The parties are not authorized to use this caption for any subsequent papers without authorization from the Board.

IPR2013-00062 (Patent 6,516,236)
IPR2013-00063 (Patent 6,513,058)
IPR2013-00074 (Patent 8,073,557)

On October 8, 2013, a telephone conference call was held between respective counsel for the parties and Judges Giannetti, Moore, and Bisk. Counsel for both parties emailed the Board² with various disputes related to various issues including entering a protective order, the time for re-cross and re-direct of a certain witness, and the potential extension of one or more due dates.

The disputed issues were resolved as follows:

1. The Board will enter the default protective order in this proceeding.
2. The default time limits of four hours for redirect examination and two hours for recross-examination will be used for all witnesses.
3. DUE DATE 2 for IPR2013-00062 and -00074 is extended for ten days until October 28, 2013.
4. The Board authorizes the parties to use a combined caption of all three cases for the depositions in these cases and to file exhibits with uniform exhibit numbers in all three proceedings.
5. The Board authorizes the parties to make a video recording of the depositions in these proceedings. The Board informed counsel for the parties that the recorded video may not be submitted to the Board without prior authorization.

² We encourage both parties to refrain from sending lengthy emails to the PTAB trial mailbox. In the future, if a dispute requires a conference call with the Board, one succinct email describing the general issue is preferable to multiple emails listing each party's position in detail.

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It is

ORDERED that the default protective order set forth in the Office Trial Practice Guide, 77 C.F.R. 48756, 48771 (Aug. 14, 2012) is hereby entered and shall govern the conduct of this proceeding unless otherwise modified;

FURTHER ORDERED that the default time limits of four hours for redirect examination and two hours for recross-examination will be used for all witnesses;

FURTHER ORDERED that DUE DATE 2 for IPR2013-00062 and -00074 is extended ten days, to October 28, 2013;

FURTHER ORDERED that the parties are authorized to use a combined caption of all three cases for the depositions in these cases; and

FURTHER ORDERED that the parties are authorized to make a video recording of the depositions in these cases.

IPR2013-00062 (Patent 6,516,236)

IPR2013-00063 (Patent 6,513,058)

IPR2013-00074 (Patent 8,073,557)

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