

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HEWLETT-PACKARD COMPANY

Petitioner

v.

MPHJ TECHNOLOGY INVESTMENTS, LLC

Patent Owner

Case IPR2013-00309

Patent 6,771,381 B1

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Before MICHAEL P. TIERNEY and GREGG I. ANDERSON,  
*Administrative Patent Judges.*

TIERNEY, *Administrative Patent Judge.*

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

Case IPR2013-00309  
Patent No. 6,771,381 B1

On November 21, 2013, the instant *inter partes* review was instituted. Paper 9. Petitioner requested an oral hearing pursuant to 37 C.F.R. § 42.70 whereas Patent Owner reserved its right to participate. Papers 26 and 27. The parties' requests are granted. The hearing will commence at 10:00 AM ET, on August 18, 2014.

This *inter partes* review is related to IPR2013-00302, which is also scheduled for a hearing at 10 AM ET, on August 18, 2014. Both reviews have the same patentee but different petitioners. A total of three (3) hours is reserved for the two oral hearings. The parties are authorized to determine an arrangement as to how the three hours are to be divided between the parties and the order of the presentation. Absent an agreement, the hearings will be held as follows.

IPR2013-00302 will be the first hearing and both the Petitioners and Patent Owner will have forty five (45) minutes of total time to present arguments. At the oral hearing, Petitioners will proceed first to present its case as to the challenged claims and grounds on which the Board instituted trial. Thereafter, Patent Owner will respond to Petitioners' case. After that, Petitioners will make use of the rest of its time responding to Patent Owner's presentation on all matters. Once the hearing in IPR2013-00302 is completed, the hearing in IPR2013-00309 will commence and follow the same procedure as IPR2013-00302.

The hearings 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 hearings and the reporter's transcript will constitute the official record of the hearings.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served no later than five business days before the hearings. They shall be filed with the Board no later than three business days prior to the hearings, and the parties must initiate a conference call with the Board at least two business days prior to the hearings to resolve any dispute over the propriety of each party's demonstrative exhibits. For guidance on what constitutes an appropriate demonstrative exhibit, the parties are directed to *CBS Interactive Inc., v. Helferich Patent Licensing, LLC.*, IPR2013 00033, Paper 118 (Oct. 23, 2013).

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

Case IPR2013-00309  
Patent No. 6,771,381 B1

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