

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., LINKEDIN CORP., and TWITTER, INC.,
Petitioner,

v.

SOFTWARE RIGHTS ARCHIVE, LLC,
Patent Owner.

Cases IPR2013-00478 (Patent 5,544,352)
IPR2013-00479 (Patent 5,832,494)
IPR2013-00480 (Patent 5,832,494)
IPR2013-00481 (Patent 6,233,571)

Before JAMESON LEE and BARBARA A. PARVIS,
Administrative Patent Judges.

PARVIS, *Administrative Patent Judge.*

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

IPR2013-00478 (Patent 5,544,352)
IPR2013-00479, -00480 (Patent 5,832,494)
IPR2013-00481 (Patent 6,233,571)

On August 15, 2014, during cross-examination of Dr. Amy Langville by counsel for Petitioner, counsel for Patent Owner instructed the witness not to reveal certain confidential information because counsel for Petitioner has not signed the appropriate Protective Order. Counsel for Petitioner initiated a conference call with the Board to seek an order compelling the witness to answer, without revealing confidential information, and to ask for additional time for cross-examination because of undue interference from opposing counsel. Judges Parvis and Lee participated in the conference call.

During the conference call, counsel for the parties resolved their dispute as to the questions posed to the witness by agreeing to a certain format for those questions. No assistance from the Board was necessary. In light of the agreement reached by the parties, we declined to authorize additional time for cross-examination. We indicated, however, that counsel for Petitioner may renew the request if the cross-examination will not be completed within the scheduled time period.

We remind the parties of the guidelines regarding cross-examination as set forth in the Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,772–73 App. D (Aug. 14, 2012). An objection must be stated concisely.

Order

It is

ORDERED that no additional time for the cross-examination of Dr. Amy Langville is authorized at this time.

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