

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONOPCO, INC. dba UNILEVER
Petitioner,

v.

THE PROCTOR & GAMBLE COMPANY
Patent Owner.

Cases IPR2013-00505 (Patent 6,974,569 B2)
IPR2013-00509 (Patent 6,451,300 B1)¹

Before LORA M. GREEN, GRACE KARAFFA OBERMANN, and
RAMA G. ELLURU, Administrative Patent Judges.

GREEN, *Administrative Patent Judge*.

ORDER
Conduct of the Proceedings
37 .F.R. § 42.5

¹ This order addresses issues that are the same in both 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.

Case IPR2013-00505 (Patent 6,974,569 B2)
IPR2013-00509 (Patent 6,451,300 B1)

Conference calls were held on April 10, 2014, and on April 21, 2014, between Eldora Ellison, counsel for Petitioner; David Maiorana, counsel for Patent Owner; and Lora Green, Grace Obermann, and Rama Elluru, Administrative Patent Judges. A court reporter was present on both calls, and transcripts are to be filed in due course by Petitioner as exhibits.² The purpose of the calls was to discuss adjusting the scheduling orders in both IPR2013-00505 and IPR-00509.

Specifically, in the conference call held on April 10, 2014, Patent Owner noted that Petitioner had filed a Motion for Joinder in IPR2014-00506, to join that case with IPR2013-00505 (IPR2014-00506, Paper 4); and had also filed a Motion for Joinder in IPR2014-00507, to join that case with IPR2013-00509 (IPR2014-00507, Paper 3). Patent Owner proposed a schedule that would move the hearing date from November 7, 2014 to December 30, 2014. Patent Owner noted that the December 30 hearing date should still give the panel sufficient time to issue a final decision within the one year statutory deadline in the instant cases in the event that IPR2013-00505 and IPR2013-00509 are not joined with IPR2014-00506 and IPR2014-00507, respectively. Patent Owner noted that adjusting the schedule would allow for a single deposition of witnesses, thus meeting the Board's goal in securing the just, speedy, and inexpensive resolution of every proceeding. 37 C.F.R. 42.1(b).

After conferring, the panel suggested that the parties meet and confer to arrive at an adjustment to the scheduling orders that would be mutually acceptable. The panel also noted that it would prefer not to move the hearing date seven and half weeks later than the current date of November 7, 2014, as proposed by Patent

² This order summarizes the statements made during the conference calls. A more detailed record may be found in the transcripts.

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Owner. The panel authorized the parties to file a joint motion to adjust the scheduling orders in each of IPR2013-00505 and IPR2013-00509.

A second call was held on April 21, 2014, to further discuss the joint motion(s) to adjust the scheduling orders to be filed in IPR2013-00505 and IPR2013-00509. The panel noted that the parties should file a joint motion to adjust the scheduling order in each case, as opposed to filing a single motion that would apply to both cases.

In consideration of the foregoing, it is hereby:

ORDERED, that the parties are authorized to file a joint motion to adjust the scheduling order in each of IPR2013-00505 and IPR2013-00509; and

FURTHER ORDERED, that the joint motions are to be filed no later than May 2, 2014.

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