

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.  
Petitioner

v.

PERSONALWEB TECHNOLOGIES, LLC and  
LEVEL 3 COMMUNICATIONS, LLC  
Patent Owners

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Cases IPR2013-00596  
Patent 7,802,310 B2

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Before KEVIN F. TURNER, JONI Y. CHANG, and MICHAEL R. ZECHER,  
*Administrative Patent Judges.*

TURNER, *Administrative Patent Judge.*

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

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An initial conference call in *inter partes* review IPR2013-00596 occurred on May 5, 2014. Respective counsel for Petitioner and Patent Owner, and Judges Turner, Chang, and Zecher were in attendance. The purpose of the call was to discuss proposed changes to the Scheduling Order (Paper 10) and any motions that the parties intend to file. Petitioner filed a proposed motions list (Paper 12), but that list indicated that no motions were contemplated at this time.

Patent Owner indicated that no motion to amend would be filed. The parties have not discussed a protective order for this proceeding, and the parties also indicated that no settlement discussions had occurred to the best of their knowledge. The parties also indicated that neither had initial disclosures, nor any additional discovery requests at this time.

The parties are reminded that prior authorization is required for all motions filed with the Board. The Board directs the attention of the parties to *Nichia Corporation v. Emcore Corporation*, IPR2012-00005, Paper Nos. 27 and 68; *Idle Free Systems, Inc. v. Bergstrom, Inc.*, IPR2012-00027, Paper Nos. 26 and 66; and *ZTE Corporation and ZTE (USA) Inc. v. Contentguard Holdings, Inc.*, IPR2013-00136, Paper No. 33, which discuss the requirements of a motion to amend claims. If the Patent Owner should decide to file a motion to amend claims, it must initiate a conference call with the Board prior to such filing to confer about the intended motion

Petitioner also raised the issue of a Request for Rehearing (Paper 11), and inquired about grounds that may form part of the trial based on that Request. We indicated that we would proceed as if the Request had been denied until

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such time as it was granted, and that the ground of the instant trial is specified in the Decision on Institution (Paper 9).

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