

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ZOLL LIFECOR CORPORATION  
Petitioner

v.

KONINKLIJKE PHILIPS ELECTRONICS N.V.  
Patent Owner

---

Case IPR2013-00606 (Patent 5,593,427)  
Case IPR2013-00607 (Patent 5,749,904)  
Case IPR2013-00609 (Patent 5,836,978)  
Case IPR2013-00612 (Patent 5,803,927)  
Case IPR2013-00613 (Patent 5,735,879)  
Case IPR2013-00615 (Patent 6,047,212)  
Case IPR2013-00616 (Patent 5,749,905)  
Case IPR2013-00618 (Patent 5,607,454)<sup>1</sup>

---

Before SALLY C. MEDLEY, MIRIAM L. QUINN, and  
GREGG I. ANDERSON, Administrative Patent Judges.

ANDERSON, Administrative Patent Judge.

ORDER

---

<sup>1</sup> This Order addresses issues common to all these cases. The parties are not authorized to use this caption for any subsequent papers without authorization from the Board.

Case IPR2013-00606 (Patent 5,593,427), Case IPR2013-00607 (Patent 5,749,904), Case IPR2013-00609 (Patent 5,836,978), Case IPR2013-00612 (Patent 5,803,927), Case IPR2013-00613 (Patent 5,735,879), Case IPR2013-00615 (Patent 6,047,212), Case IPR2013-00616 (Patent 5,749,905), Case IPR2013-00618 (Patent 5,607,454)

Conduct of the Proceedings  
*37 C.F.R. § 42.5*

The Board has reviewed Patent Owner's Preliminary Responses filed in the above eight (8) cases and seeks additional briefing from Petitioner on whether Zoll Medical Corporation is a real-party-in-interest or in privity with Petitioner as raised in the Preliminary Responses. Petitioner is authorized to include evidence, but not testimony as part of the brief. The brief, exclusive of any evidence submitted and the caption, shall not exceed ten (10) pages. Petitioner shall use the caption of this order and file the identical brief in all eight (8) pending cases. No further briefing is authorized at this time.

It is

ORDERED that:

(1) no later than five (5) days after entry of this Order, Petitioner is authorized to file a brief not exceeding ten (10) pages, exclusive of exhibits and the caption, as authorized by this Order. The brief shall respond to the issues of whether Zoll Medical Corporation is a real-party-in-interest or in privity with Petitioner as raised in Patent Owner's Preliminary Responses;

(2) Petitioner is authorized to include evidence, but not testimony with its brief;

(3) The brief and any attached evidence shall be filed with the caption of this Order in all eight (8) cases; and

(4) No further briefing is authorized at this time.

Case IPR2013-00606 (Patent 5,593,427), Case IPR2013-00607 (Patent 5,749,904),  
Case IPR2013-00609 (Patent 5,836,978), Case IPR2013-00612 (Patent 5,803,927),  
Case IPR2013-00613 (Patent 5,735,879), Case IPR2013-00615 (Patent 6,047,212),  
Case IPR2013-00616 (Patent 5,749,905), Case IPR2013-00618 (Patent 5,607,454)

FOR PETITIONER:

John C. Phillips  
Dorothy Whelan  
FISH & RICHARDSON P.C.  
[phillips@fr.com](mailto:phillips@fr.com)  
[whelan@fr.com](mailto:whelan@fr.com)

FOR PATENT OWNER:

J. Michael Jakes  
Denise W. DeFranco  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
[mike.jakes@finnegan.com](mailto:mike.jakes@finnegan.com)  
[denise.defranco@finnegan.com](mailto:denise.defranco@finnegan.com)