

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WAVEMARKET INC. d/b/a LOCATION LABS,
Petitioner,

v.

LOCATIONNET SYSTEMS LTD.,
Patent Owner.

Case IPR2014-00199
Patent 6,771,970 B1

Before KRISTEN L. DROESCH, GLENN J. PERRY, and
SHERIDAN K. SNEDDEN, *Administrative Patent Judges*.

DROESCH, *Administrative Patent Judge*.

ORDER
Trial Hearing
37 C.F.R. § 42.70

A trial was instituted on May 9, 2014. Paper 18. Both parties have requested oral hearing pursuant to 37 C.F.R. § 42.70. Papers 41, 45. The request is GRANTED. **Please note that the date of oral hearing has been changed from February 3, 2015 in the original Scheduling Order to February 10, 2015.** Specifically, the hearing will commence at

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9:30 AM ET, on February 10, 2015 on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia.

Each party will have 30 minutes of total argument time. Petitioner bears the ultimate burden of proof that the claim at issue in this review is unpatentable. Therefore, at oral hearing Petitioner will proceed first to present its case with regard to the challenged claim. Thereafter, Patent Owner will argue its opposition to Petitioner's case. Petitioner may then use any time Petitioner has reserved to rebut Patent Owner's opposition.

The hearing will be open to the public for in-person attendance, accommodated on a first-come-first-serve basis. The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served five (5) business days before the hearing. The parties are directed to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033, Paper 118 (PTAB Oct. 23, 2013), regarding the appropriate content of demonstrative exhibits. Any issue regarding demonstrative exhibits should be resolved at least three (3) days prior to the hearing by way of a joint telephone conference call to the Board. The parties are responsible for requesting such a conference sufficiently in advance of the hearing to accommodate this requirement. Any objection to demonstrative exhibits that is not timely presented will be considered waived. Demonstratives should be filed at the Board no later than two (2) days before the hearing. A hard copy of the demonstratives should be provided to the court reporter at the hearing.

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Questions regarding specific audio-visual equipment should be directed to the Board at (571) 272-9797. **Requests for audio-visual equipment are to be made 5 days in advance of the hearing date. The request is to be sent to Trials@uspto.gov. If the request is not received timely, the equipment may not be available on the day of the hearing.** The parties are reminded that the presenter must identify clearly and specifically each demonstrative exhibit (e.g., by slide or screen number) referenced during the hearing to ensure the clarity and accuracy of the court reporter's transcript.

The Board expects lead counsel for each party to be present in person at the oral hearing. However, lead or backup counsel may present the party's argument. If either party anticipates that its lead counsel will not attend the oral argument, the parties should initiate a joint telephone conference with the Board no later than two (2) business days prior to the oral hearing to discuss the matter.

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