

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUBARU OF AMERICA, INC., TOYOTA MOTOR NORTH AMERICA, INC.,
NISSAN NORTH AMERICA, INC., FORD MOTOR COMPANY, JAGUAR
LAND ROVER NORTH AMERICA, LLC, and VOLVO CARS OF NORTH
AMERICA, LLC,
Petitioner,

v.

CRUISE CONTROL TECHNOLOGIES LLC,
Patent Owner.

Case IPR2014-00279
Patent 6,324,463

Before JOSIAH C. COCKS, HYUN J. JUNG, and GEORGE R. HOSKINS,
Administrative Patent Judges.

COCKS, *Administrative Patent Judge.*

ORDER
Trial Hearing
37 C.F.R. § 42.70

This is one of five related *inter partes* review proceedings that have been scheduled for oral argument on either March 24, 2015 or March 25, 2015. Specifically, oral argument for IPR2014-00279, IPR2014-00280, IPR2014-00281, and IPR2014-00289 were scheduled for March 24, 2015, and oral argument for IPR2014-00291 was scheduled for March 25, 2015. All five related proceedings involve the same patent.

In connection with IPR2014-00279, both parties requested oral argument. Papers 40, 41. The requests are *granted*.

Oral hearing for IPR2014-00279 will commence at 9:00 AM ET on March 24, 2015. The hearing will be conducted on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia 22314. The hearing will be open to the public for in-person attendance, which will be accommodated on a first-come, first-served basis. The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

Each party will have 45 minutes of total argument time. Petitioner bears the ultimate burden of proof that the claims at issue in this review are unpatentable. Therefore, at oral hearing Petitioner will proceed first to present its case with regard to the challenged claims on which basis we instituted trial. Petitioner may reserve rebuttal time. Thereafter, Patent Owner will argue its opposition to Petitioner's case. Petitioner may use any time Petitioner reserved to rebut Patent Owner's opposition.

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 reporter's transcript.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served five business days prior to the hearing. The parties are further directed to file demonstrative exhibits two business days prior to the hearing, and request a conference call with the Board no later than two business days prior to the hearing to resolve any dispute over the propriety of each party's demonstrative exhibits. 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 presented timely will be considered waived. The parties may refer to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033 (PTAB October 23, 2013) (Paper 118), and *St. Jude Medical, Cardiology Div., Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65) regarding the appropriate content of demonstrative exhibits.

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 be attending the oral argument, the parties should initiate a joint telephone conference with the Board no later than two business days prior to the oral hearing to discuss the matter.

It is

ORDERED that oral argument concerning IPR2014-00279 will commence at 9:00 AM ET on March 24, 2015.

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