

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IRON DOME LLC,
Petitioner,

v.

E-WATCH, INC.,
Patent Owner.

Case IPR2014-00439
Patent 7,365,871 B2

Before JAMESON LEE and GREGG I. ANDERSON,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

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

On January 15, 2015, a telephone conference was held. The participants were respective counsel for the parties and Judges Lee and Anderson. Counsel for petitioner initiated the call because the extendable deadlines in the Board's Scheduling Order (Paper 17) are approaching the fixed deadlines in the Scheduling Order. For instance, the time for Petitioner to file a Reply (Time Period 3) expires on January 16, 2015, and Patent Owner has not yet made its witness available for cross-examination. At issue is the Declaration of Winston Ninh (Exhibit 2015), that is relied on by Patent owner in the Patent Owner Response (Paper 24).

After discussion with the Board, counsel for Patent Owner agreed that unless Mr. Winston Ninh is made available for cross-examination by Petitioner by January 22, 2015, the declaration of Winston Ninh, relied on by the Patent Owner in the Patent Owner's Response, will not be considered by the Board.

It is

ORDERED that if Mr. Winston Ninh is not made available for cross-examination by January 22, 2015, then his declaration (Exhibit 2015) will not be considered by the Board.

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