

Paper No. \_\_\_\_\_

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE INC. and MOTOROLA MOBILITY LLC,  
Petitioners

v.

ARENDI S.A.R.L.,  
Patent Owner.

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Case IPR2014-00452 (Patent 6,323,853 B1)

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STIPULATED REVISED SCHEDULING ORDER

Case IPR2014-00452 (Patent 6,323,853 B1)

Per the scheduling order issued in the above-referenced inter partes review proceeding on August 20, 2014 (Paper 11), the parties hereby stipulate to the revised scheduling order as shown in the attached. The only change is to move Due Date 2 from January 20, 2015 to February 3, 2015. This is being done to accommodate the deposition schedule. The change will not affect the remainder of the schedule, because the Patent Owner has not filed a motion to amend in the case.

Respectfully submitted,

Dated: December 3, 2014

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE INC. and MOTOROLA MOBILITY LLC<sup>1</sup>,  
Petitioners,

v.

ARENDI S.A.R.L.,  
Patent Owner.

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Case IPR2014-00450 (Patent 7,921,356 B2)  
Case IPR2014-00452 (Patent 6,323,853 B1)<sup>2</sup>

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Before MICHAEL R. ZECHER, NEIL T. POWELL, and  
KEVIN W. CHERRY, *Administrative Patent Judges*.

POWELL, *Administrative Patent Judge*.

SCHEDULING ORDER

A. DUE DATES

This order sets due dates for the parties to take action after institution of the proceeding. The parties may stipulate to different dates for DUE

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<sup>1</sup> Google Inc. is the sole Petitioner in IPR2014-00450. Google Inc. and Motorola Mobility LLC are joint Petitioners in IPR2014-00452.

<sup>2</sup> This Scheduling Order provides identical scheduling for the two cases. We exercise our discretion to issue one Scheduling Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

IPR2014-00450 (Patent 7,921,356 B2)

IPR2014-00452 (Patent 6,323,853 B1)

DATES 1 through 5 (earlier or later, but no later than DUE DATE 6). A notice of the stipulation, specifically identifying the changed due dates, must be promptly filed. The parties may not stipulate to an extension of DUE DATES 6 and 7.

In stipulating to different times, the parties should consider the effect of the stipulation on times to object to evidence (37 C.F.R. § 42.64(b)(1)), to supplement evidence (37 C.F.R. § 42.64(b)(2)), to conduct cross-examination (37 C.F.R. § 42.53(d)(2)), and to draft papers depending on the evidence and cross-examination testimony (*see* section B, below).

The parties are reminded that the Testimony Guidelines appended to the Office Patent Trial Practice Guide, 77 Fed.Reg. 48,756, 48,772 (Aug. 14, 2012) (Appendix D), apply to this proceeding. The Board may impose an appropriate sanction for failure to adhere to the Testimony Guidelines. 37 C.F.R. § 42.12. For example, reasonable expenses and attorneys' fees incurred by any party may be levied on a person who impedes, delays, or frustrates the fair examination of a witness.

## 1. INITIAL CONFERENCE CALL

The parties are directed to the Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,765–66 (Aug. 14, 2012) for guidance in preparing for the initial conference call, and should be prepared to discuss any proposed changes to this Scheduling Order and any motions the parties anticipate filing during the trial.

## 2. DUE DATE 1

The patent owner may file—

- a. A response to the petition (37 C.F.R. § 42.120), and

IPR2014-00450 (Patent 7,921,356 B2)

IPR2014-00452 (Patent 6,323,853 B1)

- b. A motion to amend the patent (37 C.F.R. § 42.121).

The patent owner must file any such response or motion to amend by DUE DATE 1. If the patent owner elects not to file anything, the patent owner must arrange a conference call with the parties and the Board. The patent owner is cautioned that any arguments for patentability not raised in the response will be deemed waived.

### 3. DUE DATE 2

The petitioner must file any reply to the patent owner's response and opposition to the motion to amend by DUE DATE 2.

### 4. DUE DATE 3

The patent owner must file any reply to the petitioner's opposition to patent owner's motion to amend by DUE DATE 3.

### 5. DUE DATE 4

- a. Each party must file any motion for an observation on the cross-examination testimony of a reply witness (*see* section C, below) by DUE DATE 4.

- b. Each party must file any motion to exclude evidence (37 C.F.R. § 42.64(c)) and any request for oral argument (37 C.F.R. § 42.70(a)) by DUE DATE 4.

### 6. DUE DATE 5

- a. Each party must file any response to an observation on cross-examination testimony by DUE DATE 5.

- b. Each party must file any opposition to a motion to exclude evidence by DUE DATE 5.

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