

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FUJITSU SEMICONDUCTOR LIMITED, FUJITSU SEMICONDUCTOR AMERICA, INC., ADVANCED MICRO DEVICES, INC., RENESAS ELECTRONICS CORPORATION, RENESAS ELECTRONICS AMERICA, INC., GLOBAL FOUNDRIES U.S., INC., GLOBALFOUNDRIES DRESDEN MODULE ONE LLC & CO. KG, GLOBALFOUNDRIES DRESDEN MODULE TWO LLC & CO. KG, TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC., TOSHIBA AMERICA INC., TOSHIBA AMERICA INFORMATION SYSTEMS, INC., TOSHIBA CORPORATION, and THE GILLETTE COMPANY,
Petitioner,
v.
ZOND, LLC,
Patent Owner.

Cases IPR2014-00828; IPR2014-00829; IPR2014-00917;
IPR2014-01073; IPR2014-01076¹
Patent 6,805,779 B2

Before KEVIN F. TURNER, DEBRA K. STEPHENS, JONI Y. CHANG, SUSAN L. C. MITCHELL, and JENNIFER M. MEYER,
Administrative Patent Judges.

CHANG, *Administrative Patent Judge.*

ORDER
Granting Requests for Oral Hearing
37 C.F.R. § 42.70

¹ This Order addresses the same issue in the above-identified *inter partes* reviews. Therefore, we exercise our discretion to issue one Order to be entered in each case.

IPR2014-00828; IPR2014-00829; IPR2014-00917;
IPR2014-01073; IPR2014-01076
Patent 6,805,779 B2

The Scheduling Order for these proceedings provided that an oral hearing would be conducted if the hearing is requested by the parties and granted by the Board. Paper 10.² Petitioner requests oral hearing pursuant to 37 C.F.R. § 42.70 in each above-identified *inter partes* review. Paper 45. The requests are *granted*.

These proceedings are related, and all proceedings will be conducted as a single consolidated hearing, such that any representation made by counsel at the consolidated hearing is applicable to and useable in each proceeding that has an underlying basis for the representation. Each party will have two hours of total time to present arguments for all of the proceedings. Petitioner bears the ultimate burden of proof that Patent Owner's claims at issue are unpatentable. Thus, Petitioner will open the hearing by presenting its case regarding the challenged claims for which we instituted trial. Petitioner may reserve some of its argument time for rebuttal. Thereafter, Patent Owner will respond to Petitioner's presentation.

The hearing will commence at **9:00 AM ET on June 15, 2015**, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing and will be entered in the record of each proceeding. The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis.

² All citations are to IPR2014-00828, as representative, unless otherwise noted.

IPR2014-00828; IPR2014-00829; IPR2014-00917;
IPR2014-01073; IPR2014-01076
Patent 6,805,779 B2

Furthermore, under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing date. Barring any objections to the demonstratives by the opposing party, the parties are authorized to file any demonstrative exhibits in this proceeding in PRPS three business days prior to the oral hearing date. The parties also should note that one or more members of the panel will be attending the hearing electronically from a remote location and will not be able to view the projection screen in the hearing room. 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 avoid confusion, and to ensure the clarity and accuracy of the reporter's transcript.

If there are objections to the demonstratives, the party raising the objections must communicate those objections via email to Trials@uspto.gov. Any objection to demonstrative exhibits that is not presented timely will be considered waived. The objections should identify with particularity which demonstratives are subject to objection and include a short (one sentence or less) statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider the objections and schedule a conference if deemed necessary. Otherwise, the Board will reserve ruling on the objections until at or after the oral argument. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, Case IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits. *See also CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, Case IPR2013-00033 (PTAB Oct. 23,

IPR2014-00828; IPR2014-00829; IPR2014-00917;
IPR2014-01073; IPR2014-01076
Patent 6,805,779 B2

2013) (Paper 118) (The Board has the discretion to limit the parties' demonstratives to pages in the record should there be no easy resolution to objections over demonstratives.).

The Board expects lead counsel for each party to be present in person at the oral hearing. However, any counsel of record may present the party's argument. If either party expects 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.

Any special requests for audiovisual equipment should be directed to Trials@uspto.gov. Requests for special equipment will not be honored unless presented in a separate communication not less than five days before the hearing, directed to the above email address.

IPR2014-00828; IPR2014-00829; IPR2014-00917;
IPR2014-01073; IPR2014-01076
Patent 6,805,779 B2

For PATENT OWNER:

Gregory J. Gonsalves
gonsalves@gonsalveslawfirm.com

Bruce J. Barker
bbarker@chsblaw.com

Tarek Fahmi
tarek.fahmi@ascendallaw.com

For PETITIONERS:

GlobalFoundries:

David Tennant
dtennant@whitecase.com

Dohm Chankong
dohm.chankong@whitecase.com

Gillette:

Michael A. Diener
michael.diener@wilmerhale.com

Larissa B. Park
larissa.park@wilmerhale.com

Fujitsu:

David L. McCombs
david.mccombs.ipr@haynesboone.com

David M O'Dell
david.odell.ipr@haynesboone.com

Richard C. Kim
rckim@duanemorris.com

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.