

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO., LTD.,
Petitioner,

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC,
Patent Owner.

Case IPR2014-01096 (Patent 7,537,370)¹
Case IPR2014-01097 (Patent 7,300,194)

Before THOMAS L. GIANNETTI, NEIL T. POWELL, and
BEVERLY M. BUNTING, *Administrative Patent Judges*.

BUNTING, *Administrative Patent Judge*.

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

¹ This Order addresses issues that are the same in both cases. Therefore, we exercise our discretion to issue one Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

IPR2014-01096 (Patent 7,537,370)

IPR2014-01097 (Patent 7,300,194)

An initial conference call for these proceedings took place on February 17, 2015. The parties were represented by their respective counsel. Administrative Patent Judges Giannetti, Powell, and Bunting participated. No court reporter was present on the call.

We noted that Patent Owner filed an updated power of attorney and updated mandatory notice prior to the initial conference call, naming Mr. T. William Kennedy as back-up counsel. We requested Patent Owner file a Motion for Pro Hac Vice admission of Mr. Kennedy, before Mr. Kennedy can appear in these proceedings. *See* 37 C.F.R. § 42.10(c) (The Board may recognize counsel pro hac vice during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose.).

During the call, Petitioner requested authorization to file a reply to Patent Owner's Opposition (Paper 18) to Petitioner's Request for Rehearing (Paper 15) of certain grounds in IPR2014-01096, in which institution was denied. The Panel denied authorization for the requested reply, and we subsequently denied Petitioner's request for rehearing. (Paper 21).

The following matters were also discussed during the initial conference call:

1. Schedule

The parties did not propose any changes to the scheduling order.

3. Protective Order

No order was entered. The parties should contact the Board to request entry of a protective order if necessary.

IPR2014-01096 (Patent 7,537,370)

IPR2014-01097 (Patent 7,300,194)

4. Initial Disclosures

None have been exchanged.

5. Additional Discovery and Compelled Testimony

Petitioner does not anticipate requesting additional discovery at this time. Patent Owner indicated they may request authorization to file a motion for additional discovery relating to the real party-in-interest for the petitions at issue in these proceedings. We reminded Patent Owner that authorization is required to file such a motion, and referred Patent Owner to the Trial Practice guide and the “Garmin Factors” discussed in the informative opinion of *Garmin Int’l Inc. v. Cuozzo Speed Techs LLC*, IPR2012-00001, Paper 26 (March 5, 2013). *See also* 37 C.F.R. § 42.51(b)(2) (The moving party must show that such additional discovery is in the interests of justice).

6. Motion to Amend

Patent Owner will request a conference before filing a motion to amend.

7. Other Motions

No other motions were authorized.

8. Settlement

The parties had nothing to report.

IPR2014-01096 (Patent 7,537,370)

IPR2014-01097 (Patent 7,300,194)

It is, therefore,

ORDERED that Patent Owner file a Motion for Pro Hac Vice admission of Mr. Kennedy within 5 business days of entry of this order.

PETITIONER

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