

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ATOPTECH, INC.,  
Petitioner,

v.

SYNOPSYS, INC.,  
Patent Owner.

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Case IPR2014-01145 (6,237,127 B1)

Case IPR2014-01150 (6,567,967 B2)

Case IPR2014-01159 (6,567,967 B2)

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Before TRENTON A. WARD, PETER P. CHEN, and MINN CHUNG,  
*Administrative Patent Judges.*

WARD, *Administrative Patent Judge.*

ORDER  
Trial Hearing  
*37 C.F.R. § 42.70*

IPR2014-01145 (6,237,127 B1)  
IPR2014-01150 (6,567,967 B2)  
IPR2014-01159 (6,567,967 B2)

On August 25, 2015, pursuant to 37 C.F.R. § 42.70, Petitioner and Patent Owner requested oral hearing. Paper 19; Paper 20. A conference call was held on September 15, 2015, and attended by the respective counsel for the parties, to discuss the parties request for oral argument. The parties' request for oral hearing is granted.

Oral argument will be held on November 13, 2015 on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia, commencing at 1:00 PM ET. Each party will have a combined total of ninety (90) minutes of argument time. Petitioner bears the ultimate burden of proof that the claims at issue are unpatentable. Therefore, Petitioner will proceed first to present its case with regard to the challenged claims and grounds on which we instituted trial in these proceedings. Patent Owner then will argue its opposition to Petitioner's case. Finally, Petitioner may use any time it reserved to rebut Patent Owner's opposition. As discussed on the conference call, we will first hear argument on IPR2014-01145. Once both parties have been heard on IPR2014-01145, we will hear combined argument on both IPR2014-01150 and IPR2014-01159.

The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing. The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis. If the parties have any concern about disclosing confidential information, they are to contact the Board at least 10 days in advance of the hearing to discuss the matter.

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The parties are reminded that under 37 C.F.R. § 42.53(f)(7), a proponent of deposition testimony must file such testimony as an exhibit. The Board will not consider any deposition testimony that has not been so filed.

Furthermore, under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing. The parties shall provide a courtesy copy of any demonstrative exhibits to the Board at least five business days prior to the hearing by emailing them to [Trials@uspto.gov](mailto:Trials@uspto.gov). The parties shall not file any demonstrative exhibits in these proceedings without prior authorization from the Board.

The parties must file any objections to the demonstratives with the Board at least two business days before the hearing. Any objection to the 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 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*, IPR2013-00041 (PTAB January 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits.

The Board expects lead counsel for each party to be present at oral hearing, although any backup counsel may make the actual presentation, in whole or in part. During the conference call, Ms. Fishman, lead counsel for Petitioner on IPR2014-

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01150 and IPR2014-01159, indicated that she may not be able to be present for the oral hearing. We hereby authorize for Petitioner's backup counsel to make the presentation for these two cases, regardless of whether lead counsel is present. If any other lead counsel for either party will not be in attendance at oral hearing, the Board should be notified via a joint telephone conference call no later than two business days prior to the oral hearing to discuss the matter.

Any special requests for audio visual 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.

**PETITIONER:**

Jeffrey A. Miller  
Nisha Agarwal  
David Soofian  
Deborah E. Fishman  
Katie J.L. Scott  
Michael S. Tonkinson  
KAYE SCHOLER LLP  
Two Palo Alto Square, Suite 400  
3000 El Camino Real  
Palo Alto, CA 94306  
jeffrey.miller@kayescholer.com  
nisha.agarwal@kayescholer.com  
dfishmanptab@kayescholer.com  
kscottptab@kayescholer.com  
tonkinsonm@dicksteinshapiro.com

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David Soofian  
Robert E. Bugg  
KAYE SCHOLER LLP  
250 West 55th Street  
New York, NY 10019-9710  
david.soofian@kayescholer.com  
robert.bugg@kayescholer.com

PATENT OWNER:

David W. Wu  
JONES DAY  
1755 Embarcadero Road  
Palo Alto, CA 94303  
dwwu@jonesday.com

David Cochran  
Joseph Sauer  
JONES DAY  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
dcochran@jonesday.com  
jmsauer@jonesday.com