

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NORMAN INTERNATIONAL, INC.,
Petitioner,

v.

HUNTER DOUGLAS INC.,
Patent Owner.

Case IPR2014-01175
Patent 6,968,884 B2

Before LINDA M. GAUDETTE, JAMES P. CALVE and
HYUN J. JUNG, *Administrative Patent Judges*.

GAUDETTE, *Administrative Patent Judge*.

ORDER
Trial Hearing
37 C.F.R. § 42.70

Both Patent Owner and Petitioner requested oral argument. Papers 15, 17.

Oral argument will commence at 1:30 pm Eastern Time on October 20, 2015, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. Each party is allotted one hour total argument time. Petitioner will open the hearing by presenting its arguments regarding the challenged claims for which the Board instituted trial. Patent Owner will then respond to Petitioner's arguments. Petitioner may reserve time for rebuttal arguments. Patent Owner may not reserve rebuttal time. Petitioner bears the ultimate burden of proof that Patent Owner's patented claims are unpatentable.

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 via in-person attendance on a first-come, first-served basis.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing and filed no later than the time of the hearing. The Board requests that such exhibits be filed at the Board at least five business days before the hearing to facilitate the panel's preparation. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041, Paper 65 (PTAB Jan. 27, 2014), for guidance regarding the appropriate content of demonstrative exhibits.

The parties must file any objections to the demonstratives with the Board at least two business days before the hearing. Any objection to demonstrative exhibits that is not timely presented 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 Board asks the parties to confine demonstrative exhibit objections to those identifying egregious violations that are prejudicial to the administration of justice.

Two members of the panel hearing this case will attend the hearing remotely, by video and audio link. The parties are reminded that, during the hearing, the presenter must identify clearly and specifically each demonstrative exhibit referenced (e.g., by slide or screen number) to ensure the clarity and accuracy of the reporter's transcript, and to ensure that a remote judges can follow the argument even if the video connection is disrupted. The parties are requested to speak directly into the microphone, including during initial introduction of counsel.

The Board expects lead counsel for each party to be present in person at the hearing. If a party anticipates 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 counsel of record, however, may present the party's argument. A party's argument may be divided, but interruptions for change of counsel should be kept to a minimum.

Petitioner has requested "permission to use audio/visual equipment to display demonstratives and exhibits." Paper 17, 1. Requests for special

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equipment will not be honored unless presented in a separate communication directed to Trials@uspto.gov not less than five days before the hearing. If the request is not received timely, the equipment may not be available on the day of the hearing.

Accordingly, it is

ORDERED that oral argument for this proceeding shall take place beginning at 1:30 pm Eastern Time on October 20, 2015, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia.

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