

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

HUGHES NETWORK SYSTEMS, LLC and  
HUGHES COMMUNICATIONS, INC.,  
Petitioner,

v.

CALIFORNIA INSTITUTE OF TECHNOLOGY,  
Patent Owner.

---

Case IPR2015-00059  
Patent 7,916,781

---

Before KALYAN K. DESHPANDE, GLENN J. PERRY, and  
TREVOR M. JEFFERSON, *Administrative Patent Judges*.

PERRY, *Administrative Patent Judge*.

ORDER

*Conduct of the Proceedings – Oral Argument*  
*37 C.F.R. §§ 42.5, 42.70*

Case IPR2015-00059  
Patent 7,916,781

The parties requested oral argument pursuant to 37 C.F.R. § 42.70. Papers 31 and 33. The requests are granted.

*Date and Time*

Oral argument for these proceedings will be conducted on January 26, 2016. Each party will have 60 minutes of total argument time. Petitioner bears the ultimate burden of proof that the claims at issue in this review are unpatentable. Therefore, Petitioner will proceed first to present its case with regard to the challenged claims on which basis we instituted trial. Petitioner may reserve time for rebuttal. Thereafter, Patent Owner will respond to Petitioner's case. After that, Petitioner may make use of the rest of its time responding to Patent Owner. Outstanding Motions may be argued during moving party's allotted time.

*Open to Public*

There is a public policy interest in making all information presented in these proceedings public, as the review determines the patentability of claims in an issued patent and thus affects the rights of the public. This policy is reflected in part, for example, in 35 U.S.C. § 316(a)(1) and 35 U.S.C. § 326(a)(1), which provide that the file of any *inter partes* review or post grant review be made available to the public, except that any petition or document filed with the intent that it be sealed shall, if accompanied by a motion to seal, be treated as sealed pending the outcome of the ruling on the motion. Accordingly, we exercise our discretion to make the oral hearing publically available via in-person attendance.

Oral argument will commence at 10:00 AM Eastern Time, on January 26, 2016, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia, and it will be open to the public for in-person

attendance. In person attendance will be accommodated on a first come first serve basis.

*Reporter*

The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

*Demonstratives*

Demonstratives are aids in support of oral argument and are not evidence in the review. They will not become part of the official record of this review other than as mentioned in the transcript of oral argument. If demonstratives are to be used during oral argument, they must be served five (5) business days before the hearing in accordance with 37 C.F.R.

§ 42.70(b). Copies should also be sent by email (not filed via PRPS) to the Board. Hard copies of the demonstratives should be provided to the panel and to the court reporter at the hearing. The parties are directed to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033, slip op. at 2–5 (PTAB Oct. 23, 2013) (Paper 118), regarding the appropriate content of demonstrative exhibits. 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 ensure the clarity and accuracy of the reporter's transcript.

Any issue regarding demonstrative exhibits should be resolved at least two business days prior to the hearing by way of a joint telephone conference call to the Board. The parties are responsible for requesting such a conference sufficiently in advance of the hearing to accommodate this requirement. Any objection to demonstrative exhibits that is not timely presented will be considered waived.

Case IPR2015-00059  
Patent 7,916,781

*Audio Visual Equipment*

Questions regarding specific audio-visual equipment should be directed to the Board at (571) 272-9797. **Requests for audio-visual equipment are to be made 5 days in advance of the hearing date. The request is to be sent directly to [Trials@uspto.gov](mailto:Trials@uspto.gov). If the request is not received timely, the equipment may not be available on the day of the hearing.**

*Counsel Presence*

The Board expects lead counsel for each party to be present in person at the oral hearing. However, lead or backup counsel may present the party's argument. If either party anticipates that its lead counsel will not be attending the oral hearing, 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.

Case IPR2015-00059  
Patent 7,916,781

PETITIONER:

Eliot D. Williams  
G. Hopkins Guy  
Baker Botts, LLP  
eliot.williams@bakerbotts.com  
hop.guy@bakerbotts.com

PATENT OWNER:

Michael T. Rosato  
Matthew A. Argenti  
Wilson Sonsini Goodrich & Rosati  
mrosato@wsgr.com  
margenti@wsgr.com