

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC.,
Petitioner,

v.

E-WATCH, INC.,
Patent Owner.

Case IPR2015-00408
Patent 7,643,168 B2

Before JAMESON LEE, GREGG I. ANDERSON, and
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

ANDERSON, *Administrative Patent Judge*.

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

An initial conference call in the above proceeding was held on July 20, 2015, between respective counsel for the parties and Judges Lee, Anderson, and Clements.

Prior to the call, neither party filed a proposed motions list.

The parties were directed to the rule regarding routine discovery, specifically the provision requiring production of relevant inconsistent information. Both in connection with that provision, as well as to other matters with which there might be disagreement between the parties, the parties are to meet and confer prior to bringing any matter to the attention of the Board. The meet and confer obligation is to be met by a good faith exchange of communication, preferably by telephone.

Patent Owner's counsel was advised that a motion to exclude is not the proper procedure to address arguments it believes are improper contained in petitioner's reply brief.

The parties were further directed to a new decision governing how Patent Owner should proceed if it chooses to file a motion to amend claims. The decision is *Masterimage 3D, Inc. v. Reald Inc.*, IPR2015-00040, Paper 42 (PTAB July 15, 2015).

Currently, neither party seeks changes to the Scheduling Order. To the extent that issues arise with DUE DATES 1–5, the parties are reminded that, without obtaining prior authorization from the Board, they may stipulate to different dates for DATES 1–5, as provided in the Scheduling Order, by filing an appropriate notice with the Board. The parties may not stipulate to any other changes to the Scheduling Order.

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