

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
SAMSUNG ELECTRONICS LTD, and
SAMSUNG ELECTRONICS AMERICA, INC.
Petitioner,

v.

E-WATCH, INC.
Patent Owner.

Case IPR2015-00414¹
Patent 7,643,168 B2

Before 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

¹ Case IPR2015-00611 has been joined with this proceeding.

An initial conference call in the above proceeding was held on July 21, 2015, between respective counsel for the parties and Judges Anderson and Clements.

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

Petitioner's objection to Patent Owner's Exhibit 2001 (Paper 16) filed with Patent Owner's Preliminary Response was discussed. The parties will meet in an attempt to resolve the need for the objection in view of the fact that trial has been instituted.

The parties were directed to the rule regarding routine discovery, specifically the provision requiring production of relevant inconsistent information. In connection with both that provision, as well as other matters over 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.

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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PETITIONER APPLE:

Brian Buroker
Blair Silver
BBuroker@gibsondunn.com
bsilver@gibsondunn.com

PETITIONER SAMSUNG:

Steven Park
Naveen Modi
Elizabeth Brann
stevenpark@paulhastings.com
naveenmodi@paulhastings.com
elizabethbrann@paulhastings.com

PATENT OWNER:

Robert C. Curfiss
David O. Simmons
bob@curfiss.com
dsimmons1@sbcglobal.net