

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

E-WATCH, INC.,  
Patent Owner.

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Case IPR2015-00610  
Patent 7,365,871 B2

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

CLEMENTS, *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 29, 2015, between respective counsel for the parties and Judges Lee, Anderson, and Clements.

Prior to the call, only Petitioner filed a proposed motions list. Paper 9. On the call, both parties confirmed that, at this time, they do not anticipate filing any motions.

Petitioner sought to coordinate the Due Dates in this case with those in *Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. v. e-Watch, Inc.*, IPR2015-00607, which involves the same parties. We reminded the parties that, without obtaining prior authorization from the Board, they may stipulate to different dates for DUE DATES 1–5, as provided in the Scheduling Order, by filing an appropriate notice with the Board. With respect to DUE DATE 6, it is changed to February 17, 2016, consistent with IPR2015-00607. With respect to DUE DATE 7, we observed that the parties will be participating two hearings—for both IPR2015-00607 and *Apple Inc., Samsung Electronics Ltd., and Samsung Electronics America, Inc. v. e-Watch, Inc.*, IPR2015-00414<sup>1</sup>—on February 24, 2016, and asked Patent Owner whether it objected to having a third hearing—for the present case—on the same date. Counsel for Patent Owner requested an opportunity to confer with the client. Patent Owner agreed to notify the panel if it objects to scheduling the hearing in the present case on February 24, 2016.

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<sup>1</sup> IPR2015-00611 is joined to this case.

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Finally, we took the opportunity to advise counsel for each party that a proper Motion to Exclude Evidence should not include arguments alleging that a reply exceeds the scope of a proper reply. If such an issue arises, the parties should initiate a telephone conference call with the Board.

#### ORDER

Accordingly, it is ordered that

Due Date 6 is reset to February 17, 2016; and

Patent Owner is ordered to notify the panel by Friday, August 7, 2015, if it objects to resetting Due Date 7 to February 24, 2016.

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