

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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OWENS CORNING,  
Petitioner,

v.

FAST FELT CORPORATION,  
Patent Owner.

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Case IPR2015-00650  
Patent 8,137,757 B2

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Before JO-ANNE M. KOKOSKI, KRISTINA M. KALAN, and  
BRIAN P. MURPHY, Administrative Patent Judges.

KOKOSKI, *Administrative Patent Judge.*

ORDER  
Trial Hearing  
*37 C.F.R. § 42.70*

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Patent Owner and Petitioner each requested oral hearing pursuant to 37 C.F.R. § 42.70. Papers 22, 23. The requests for oral hearing are *granted*.

Each party will have 30 minutes of total time to present arguments. Petitioner bears the ultimate burden of proof that the patent 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. Thereafter, Patent Owner will respond to Petitioner's arguments. Petitioner may reserve rebuttal time to respond to arguments presented by Patent Owner.

Oral argument shall commence at 1:00 pm EDT on May 11, 2016. The hearing will be open to the public for in-person attendance on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, VA. In-person attendance will be accommodated on a first-come, first-served basis.

The Board will provide a court reporter, and the transcript shall constitute the official record of the hearing. Under 37 C.F.R. § 42.70(b), demonstrative exhibits, if any, must be served no later than five business days before the hearing. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, Case IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits. *See also CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, Case IPR2013-00033 (PTAB Oct. 23, 2013) (Paper 118) (The Board has

discretion to limit the parties' demonstratives to pages in the record should there be no easy resolution to objections over demonstratives.).

Any issue regarding demonstrative exhibits should be resolved at least two business days prior to the hearing by way of a joint telephone conference with 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. Demonstratives should be filed at the Board no later than two days before the hearing. A hard copy of the demonstratives should be provided to the court reporter at the hearing.

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 no later than 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. 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.

The parties also should note that at least one member of the panel will be attending the hearing electronically from a remote location, and that if a demonstrative is not filed or otherwise made fully available or visible to the judge presiding over the hearing remotely, that demonstrative will not be considered. If the parties have questions as to whether demonstrative

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exhibits would be sufficiently visible to all of the judges, the parties are invited to contact the Board at 571-272-9797. Documents presented on the Elmo projector are not visible to remote judges, so please plan accordingly.

The Board expects lead counsel for each party to be present in person at the oral hearing. However, any counsel of record may present the party's argument. If either 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.

PETITIONER:

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