

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner,

v.

AT HOME BONDHOLDERS' LIQUIDATING TRUST,
Patent Owner.

Case IPR2015-00657 (Patent 6,286,045 B1)¹
Case IPR2015-00662 (Patent 6,014,698)²

Before KARL D. EASTHOM, JUSTIN T. ARBES, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

ORDER
Request for Oral Argument
37 C.F.R. § 42.70

¹ Case IPR2015-00660 (Patent 6,286,045 B1) consolidated therewith.

² Case IPR2015-00666 (Patent 6,014,698) consolidated therewith.

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IPR2015-00662 (Patent 6,014,698)

The parties have requested an oral hearing in each of these proceedings pursuant to 37 C.F.R. § 42.70. *See*, IPR2015-00657, Papers 38, 39; IPR2015-00662, Papers 36, 37. We grant the parties' request.

Each party will have one hour of *total* argument time. Petitioner bears the ultimate burden of proof that the claims at issue in these reviews 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 case. After that, Petitioner will make use of the rest of its time responding to Patent Owner. There are no motions to amend or other motions to be addressed at the hearing, and no rebuttal time will be allotted to Patent Owner.

The hearing will commence at 1 PM Eastern Time on April 7, 2016 at the **Texas Regional Office in Room 155, first floor of 207 S. Houston Street, Dallas Texas 75202.**³ The hearing will be open to the public for in-person attendance, which will be accommodated on a first come first serve basis. To facilitate the use of the regional-office hearing room, each party is asked to *email the Board* (Trials@uspto.gov), five business days prior to the hearing, indicating the number of attendees for its side (attorneys and others). If the parties have concerns about disclosing confidential information, they are requested to contact the Board at least ten business days in advance of the hearing to discuss the matter.

The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing. Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served five business days before the

³ Information concerning the Texas Regional Office can be found in the USPTO website at <http://www.uspto.gov/about-us/uspto-locations/dallas-texas>.

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hearing. The parties are directed to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033, Paper 118 (Oct. 23, 2013), regarding the appropriate content of demonstrative exhibits.

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. Demonstratives should be ***emailed*** to 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 five business days in advance of the hearing date. The request is to be sent directly to 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 will not be able to view the projection screen in the hearing room.

The Board expects lead counsel for each party to be present in person at the oral hearing. However, lead or backup counsel of the presenting party may put forward 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

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conference with the Board no later than *two business days* prior to the oral hearing to discuss the matter.

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