

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

v.

IXI IP, LLC,  
Patent Owner.

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Case IPR2015-01443 (7,295,532 B2)  
Case IPR2015-01444 (7,039,033 B2)  
Case IPR2015-01445 (7,016,648 B2)  
Case IPR2015-01446 (7,016,648 B2)

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Before TRENTON A. WARD, KRISTINA M. KALAN, and JOHN A.  
HUDALLA, *Administrative Patent Judges*.

KALAN, *Administrative Patent Judge*.

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

The Scheduling Orders for these cases set the date for oral hearing as September 15, 2016, if a hearing is requested by the parties and granted by the Board. Both parties have requested oral hearing pursuant to 37 C.F.R. § 42.70. The parties' request for oral hearing is *granted*.

IPR2015-01443 (7,295,532 B2)  
IPR2015-01444 (7,039,033 B2)  
IPR2015-01445 (7,016,648 B2)  
IPR2015-01446 (7,016,648 B2)

Petitioner will have 30 minutes to present arguments in each case. Patent Owner will have 30 minutes to respond in each case. Petitioner bears the ultimate burden of proof that Patent Owner's claims at issue in these reviews are unpatentable. Therefore, for each case, Petitioner will open the hearing by presenting its case regarding the challenged claims for which the Board instituted trial. After Petitioner's presentation, Patent Owner will respond to Petitioner's argument. Petitioner may reserve rebuttal time to respond to arguments presented by Patent Owner.

The first session of hearings will commence at 11:00 AM on September 15, 2016, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. The Board will hear arguments in cases IPR2015-01443 and IPR2015-01444 during this first session, which will adjourn at approximately 1:00 PM. The second session of hearings will commence at 2:00 PM, and the Board will hear arguments in IPR2015-01445 and IPR2015-01446 during this second session. The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing. The hearings will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis.

The parties are reminded that under 37 C.F.R. § 42.53(f)(7), a proponent of deposition testimony must file such testimony as an exhibit. The Board will not consider any deposition testimony that has not been so filed.

Furthermore, under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing date. The parties

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also shall provide a courtesy copy of any demonstrative exhibits to the Board at least five business days prior to the hearing by emailing them to [Trials@uspto.gov](mailto:Trials@uspto.gov). The parties shall *not* file any demonstrative exhibits without prior authorization from the Board.

The parties must file any objections to the demonstratives with the Board at least two business days before the hearing. Any objection to demonstrative exhibits that is not timely presented will be considered waived. The objections should identify with particularity which demonstratives are subject to objection, and include a short (one sentence or less) statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider the objections and schedule a conference if deemed necessary. Otherwise, the Board will reserve ruling on the objections until after the oral argument. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041 (PTAB January 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits.

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. The parties may divide argument among counsel as they wish. Should there be any disagreement among the parties on the division of argument the parties shall meet and confer in advance of the hearing to try to resolve the dispute and if necessary contact the Board for assistance.

If any party expects that its lead counsel will not be attending the oral argument, the parties should initiate a joint telephone conference with the

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

Any special requests for audio visual equipment should be directed to [Trials@uspto.gov](mailto:Trials@uspto.gov). Requests for special equipment will not be honored unless presented in a separate communication not less than five days before the hearing directed to the above email address.

At least one judge will be participating remotely via a videoconferencing device and will not be able to view the projection screen in the hearing room. 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 avoid confusion, and to ensure the clarity and accuracy of the reporter's transcript.

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