

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARRIS GROUP, INC., ARUBA NETWORKS, INC.,
HEWLETT PACKARD ENTERPRISE COMPANY, and HP, INC.,
Petitioner,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2016-00768
Patent 5,659,891¹

Before MEREDITH C. PETRAVICK, SCOTT A. DANIELS, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ORDER
Oral Argument
37 C.F.R. § 42.70

The parties have requested oral argument, and the hearing will
commence at 10:00 AM ET on Tuesday, June 20, 2017, on the ninth floor of

¹ Case IPR2016-00766 has been joined with the instant proceeding.

IPR2016-00768
Patent 5,659,891

Madison Building East, 600 Dulany Street, Alexandria, Virginia. *See* Paper 39 (Petitioner's Request), 38 (Patent Owner's Request).

The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing. The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis.

Each party will have 30 minutes to present argument. Petitioner bears the ultimate burden of proof that Patent Owner's claims at issue in this review are unpatentable. Therefore, Petitioner will open the hearing by presenting its arguments regarding the challenged claims for which the Board instituted trial. Patent Owner then will respond to Petitioner's arguments. Petitioner may reserve time to respond to arguments presented by Patent Owner. Patent Owner may not reserve time.

The parties are reminded that the demonstrative exhibits must be served and filed in accordance with 37 C.F.R. § 42.70(b).

The Board asks that the parties attempt to resolve objections to the demonstrative exhibits, and if any objections cannot be resolved, the parties must file those objections with the Board no later than June 16, 2017. Any objection to demonstrative exhibits that is not timely presented will be considered waived. The objections should identify with particularity which demonstrative exhibits are subject to objection, and include a short statement of the reason for each objection. 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

IPR2016-00768
Patent 5,659,891

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. If either party expects 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 June 16, 2017, to discuss the matter.

Any special requests for audio visual equipment should be directed to 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.

PETITIONER:

Gabrielle E. Higgins
Kathryn N. Hong
ROPES & GRAY LLP
gabrielle.higgins@ropesgray.com
kathryn.hong@ropesgray.com

PATENT OWNER:

John R. Kasha
Kelly L. Kasha
KASHA LAW LLC
john.kasha@kashalaw.com
kelly.kasha@kashalaw.com