

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.  
and GLOBALFOUNDRIES U.S. INC.,  
Petitioners,

v.

GODO KAISHA IP BRIDGE 1,  
Patent Owner.

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Case IPR2016-01246 (Patent 7,126,174 B2)  
Cases IPR2016-01249 and IPR2016-01264 (Patent 6,538,324 B1)<sup>1</sup>

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Before JUSTIN T. ARBES, MICHAEL J. FITZPATRICK, and  
JENNIFER MEYER CHAGNON, *Administrative Patent Judges*.

ARBES, *Administrative Patent Judge*.

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

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<sup>1</sup> Case IPR2016-01247 has been consolidated with Case IPR2016-01246. GlobalFoundries U.S. Inc.'s motions for joinder in Cases IPR2017-00919, IPR2017-00920, IPR2017-00925, and IPR2017-00926 were granted. The parties are not authorized to use this style heading (i.e., identifying multiple cases) for any subsequent papers.

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Petitioner Taiwan Semiconductor Manufacturing Company, Ltd. and Patent Owner Godo Kaisha IP Bridge 1 requested a hearing in each of the above proceedings pursuant to 37 C.F.R. § 42.70(a). *See* IPR2016-001246, Papers 30, 31; IPR2016-01249, Papers 30, 32; IPR2016-01264, Papers 30, 32. The requests are *granted*. Two hearings will be held.

For Case IPR2016-01246, each party will have sixty (60) minutes of total time to present arguments. Petitioner bears the ultimate burden of proof that the challenged claims are unpatentable. Therefore, Petitioner will proceed first to present its case as to the challenged claims, and may argue its motion to exclude and reserve rebuttal time. Patent Owner then will respond to Petitioner's presentation and may argue its motion to exclude and reserve rebuttal time. The parties may present arguments relied upon in all papers in the proceeding (e.g., Petitions, Response, Reply, and Sur-Reply) in their initial presentations. Petitioner then may use the rest of its time to respond to Patent Owner's presentation on all matters. Finally, Patent Owner may use any remaining time only to address issues raised by Petitioner regarding Patent Owner's motion to exclude.

Cases IPR2016-01249 and IPR2016-01264 involve the same patent and similar asserted prior art. A combined hearing for both proceedings, therefore, is appropriate under the circumstances. Each party will have sixty (60) minutes of total time to present arguments for both proceedings. Petitioner will proceed first to present its case as to the challenged claims in both proceedings, and may argue its motions to exclude and reserve rebuttal time. Patent Owner then will respond to Petitioner's presentation and present its own case with respect to its motions to amend, and may argue its motions to exclude and reserve rebuttal time. After that, Petitioner may use

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the rest of its time to respond to Patent Owner's presentation on all matters. Finally, Patent Owner may use any remaining time only to address issues raised by Petitioner regarding Patent Owner's motions to amend and motions to exclude.

The hearings for the three proceedings will take place on **Monday, August 7, 2017**,<sup>2</sup> at the following times:

Case(s)	Time
IPR2016-01246	10:00 AM Eastern Time
IPR2016-01249 and IPR2016-01264	1:00 PM Eastern Time

The hearings will be open to the public for in-person attendance on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. In-person attendance will be accommodated on a first come, first served basis. The Board will provide a court reporter for the hearings, and the reporter's transcripts will constitute the official record of the hearings.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least seven business days prior to the hearings. The parties shall confer with each other regarding any objections to demonstrative exhibits, and file demonstrative exhibits with the Board at least two business days prior to the hearings. For any issue that cannot be resolved after conferring with the opposing party, the parties may file jointly a one-page list of objections at least two business days prior to the hearings. The list should identify with particularity which demonstrative exhibits are subject to objection and

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<sup>2</sup> The date for the hearings has been changed from the originally scheduled August 8, 2017, to accommodate both hearings being held on the same day.

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include a short statement (no more than one sentence) of the reason for each objection. No argument or further explanation is permitted. We will consider the objections and schedule a conference call if necessary. Otherwise, we will reserve ruling on the objections until the hearings or after the hearings. Any objection to demonstrative exhibits that is not presented timely will be considered waived. Each party also shall provide a hard copy of its demonstrative exhibits to the court reporter at the hearings.

The parties are directed to *St. Jude Med., Cardiology Div., Inc. v. Board of Regents of the Univ. of Mich.*, Case IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65), regarding the appropriate content of demonstrative exhibits. 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 hearings to ensure the clarity and accuracy of the reporter's transcripts. The parties also should note that one member of the panel will be attending the hearings electronically from a remote location and that if a demonstrative exhibit is not filed or otherwise made fully available or visible to the judge presiding over the hearings remotely, that demonstrative exhibit will not be considered. The judge presiding remotely will not be able to view the screen in the hearing room.

The Board expects lead counsel for Petitioner and Patent Owner to be present at the hearings, although any back-up counsel may make the actual presentation, in whole or in part.<sup>3</sup> If lead counsel for any party will not be in attendance at the hearings, the Board should be notified via a joint

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<sup>3</sup> Counsel for Petitioner GlobalFoundries U.S. Inc. is permitted to attend the hearings, but may not present arguments. *See, e.g.*, IPR2017-00925, Paper 13, 12. Should the parties have any questions regarding procedures for the hearings, the parties may request a conference call.

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conference call no later than two days prior to the hearings to discuss the matter.

Requests for audio-visual equipment at the hearings are to be made five days in advance of the hearing date. The requests must be sent to *Trials@uspto.gov*. If the requests are not received timely, equipment may not be available on the day of the hearings. Further, if the parties have questions as to whether demonstrative exhibits would be sufficiently visible and available to all of the judges, the parties are invited to contact the Board at 571-272-9797.

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