

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VALVE CORPORATION,
Petitioner,

v.

IRONBURG INVENTIONS LTD.,
Patent Owner.

Cases¹

IPR2017-00136 (Patent 8,641,525 B2)

IPR2017-00137 (Patent 9,089,770 B2)

Before PHILLIP J. KAUFFMAN, MEREDITH C. PETRAVICK, and
MITCHELL G. WEATHERLY, *Administrative Patent Judges*.

KAUFFMAN, *Administrative Patent Judge*.

Conduct of the Proceeding
37 C.F.R. § 42.5

¹ We use this caption to indicate that this Decision applies to, and is entered in, each case. The parties are not authorized to use this type of caption.

Case IPR2017-00136 (Patent 8,641,525 B2)

Case IPR2017-00137 (Patent 9,089,770 B2)

The final document needed to decide the request for rehearing in related IPR2016-00948 was entered on January 8, 2018. We may now decide that request and the Motion to Terminate the cases at hand. In light of this, is it necessary to postpone the hearing a second time.

The hearing will commence at **9:00 AM ET on Thursday, February 1, 2018**, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. *See* Papers 13 (Scheduling Order), 28 (Petitioner's Request), 31 (Patent Owner's Request).² If the new hearing date presents a problem for either party, the parties must confer and present in a conference call with the Board on or before January 16, 2018, two agreed upon alternative dates for the hearing between February 5 and February 9, 2018.

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 45 minutes of argument time. 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 for both cases. 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.

² Unless otherwise noted, we reference the papers of IPR2017-00136. The other proceeding contains similar papers.

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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 demonstratives, and if any objections cannot be resolved, the parties must file those objections with the Board no later than January 29, 2018. 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 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 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 January 29, 2018, 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.

Case IPR2017-00136 (Patent 8,641,525 B2)

Case IPR2017-00137 (Patent 9,089,770 B2)

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