

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE, INC.,  
Petitioner,

v.

UNILOC 2017 LLC,  
Patent Owner.

---

Cases IPR2018-00394, IPR2018-00395  
Patent 6,622,018 B1

---

Before MIRIAM L. QUINN, CHARLES J. BOUDREAU, and  
GARTH D. BAER, *Administrative Patent Judges*.

BAER, *Administrative Patent Judge*.

ORDER  
*Requests for Oral Argument*  
37 C.F.R. § 42.70

The Scheduling Orders (IPR2018-00394, Paper 8; IPR2018-00395, Paper 8) for these proceedings provided that an oral hearing would be conducted on March 21, 2019, if a hearing is requested by the parties and granted by the Board. The parties requested oral hearing pursuant to 37 C.F.R. § 42.70. IPR2018-00394, Papers 14, 15; IPR2018-00395, Papers 14, 15. In addition to its general request for a hearing, Patent Owner requested that, because counsel for both parties are in the Dallas area, the oral hearing occur at the Texas Regional Office of the United States Patent and Trademark Office, and requested that the parties be given twenty minutes per side. IPR2018-00394, Paper 14, 1; IPR2018-00395, Paper 14, 1.

The Parties' request for oral hearing is *granted*. The hearing will commence at **1:00 PM Central Time (2 PM Eastern Time) on March 21, 2019, at the USPTO Texas Regional Office, 207 South Houston St., Suite 159, Dallas, Texas 75202.**<sup>1</sup>

The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing. **The parties are advised that the hearing room has limited seating.** The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis. If the parties have any concern about disclosing confidential information, they are to contact the Board at least 10 days in advance of the hearing to discuss the matter.

Each party will have forty (40) minutes of total oral argument time. Petitioner bears the ultimate burden of proof that Patent Owner's claims at issue in these proceedings are unpatentable. Therefore, Petitioner will open the hearing by presenting its case regarding the challenged claims for which the Board instituted

---

<sup>1</sup> See <https://www.uspto.gov/about-us/uspto-locations/dallas-tx/dallas-texas> for additional information.

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 parties may also address any pending motions during their respective presentations.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least seven business days prior to the hearing. The parties shall confer with each other regarding any objections to demonstrative exhibits, and file demonstrative exhibits with the Board, as a separate exhibit in accordance with 37 C.F.R. § 42.63, at least five business days prior to the hearing. Demonstrative exhibits are not evidence, but merely a visual aid at the oral hearing. The Board expects the parties will meet and confer in good faith to resolve any objections to demonstrative exhibits. For any issue that cannot be resolved after conferring with the opposing party, the parties may email jointly to [Trials@uspto.gov](mailto:Trials@uspto.gov) a one-page list of objections at least five business days prior to the hearing. The list should identify with particularity which demonstrative exhibits are subject to objection and include a short statement (no more than one short 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 hearing or after the hearing. 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 hearing.

The parties should note that two members of the panel will be attending the hearing electronically from a remote location, and that if a demonstrative is not filed or otherwise made fully available or visible to the judges presiding over the hearing remotely, that demonstrative will not be considered. Further, images projected, using audio visual equipment in Dallas, may not be visible to judges

appearing remotely. Because of limitations on the audio transmission systems in our hearing rooms, the presenter may speak only when standing at the hearing room podium. 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.

The Board expects lead counsel for both parties to be present in person at the oral hearing. Any counsel of record, however, may present a party's argument. If either party expects that its lead counsel will not be attending the oral argument, it should initiate a joint telephone conference with the Board no later than two business days prior to the oral hearing to discuss the matter.

Any special requests for audiovisual 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 seven business days before the hearing, directed to the above email address.

Cases IPR2018-00394 and IPR2018-00395  
Patent 6,622,018 B1

PETITIONER:

Andrew S. Ehmke  
andy.ehmke.ipr@haynesboone.com

Scott T. Jarratt  
scott.jarratt.ipr@haynesboone.com

PATENT OWNER:

Ryan Loveless  
ryan@etheridgelaw.com

Sean Burdick  
sean.burdick@unilocusa.com

Brett Mangrum  
brett@etheridgelaw.com

James Etheridge  
jim@etheridgelaw.com

Jeffrey Huang  
jeff@etheridgelaw.com