

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

NANOCO TECHNOLOGIES LTD.,
Patent Owner.

IPR2021-00182 (Patent 9,680,068 B2)
IPR2021-00183 (Patent 7,588,828 B2)
IPR2021-00184 (Patent 7,803,423 B2)
IPR2021-00185 (Patent 7,867,557 B2)
IPR2021-00186 (Patent 8,524,365 B2)¹

Before ERICA A. FRANKLIN, GRACE KARAFFA OBERMANN, and
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

ORDER
Granting Joint Request to Modify Schedule
37 C.F.R. § 42.5

¹ This Order applies to each of the above-listed proceedings. We exercise our discretion to issue one Order to be filed in each proceeding. Unless otherwise authorized, the parties shall not use this heading style in any subsequent papers.

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Both parties requested oral argument in these proceedings, and we granted those requests, setting a hearing for February 23, 2022. Paper 36; Paper 37; Paper 38.² In the order setting the hearing, we required the parties to serve demonstrative exhibits on opposing counsel “at least seven (7) business days before the hearing date” and to file them with the Board “no later than two (2) business days before the hearing.” Paper 38, 4. We also noted that “[t]he parties may stipulate to an alternative schedule for serving and filing demonstratives, and request that the Board modify the schedule for filing and serving demonstratives at least seven (7) business days before the hearing date.” *Id.* at 4 n.5.

Now, the parties have stipulated to a different schedule for serving and filing demonstrative exhibits and have requested that we modify the schedule accordingly. Paper 39. Specifically, the parties jointly request that we set the date for service of demonstrative exhibits on opposing counsel at 5:00 pm Eastern Time on February 18, 2022, and the date for filing demonstrative exhibits with the Board at February 21, 2022. *Id.* at 2.

Although we see no issue with the parties’ choice of February 18 for serving demonstratives, the parties’ intention to file demonstratives on February 21 raises a small concern. Although the parties argue that the choice of February 21 for filing the demonstrative exhibits represents “[n]o

² Citations to the record refer to the papers and exhibits filed in IPR2021-00182. Except where noted, similar filings exist in the other proceedings as well.

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[c]hange” to the date set in the original hearing order, *id.*, this is not the case. The original hearing order required demonstrative exhibits to be filed no later than two business days before the February 23 hearing. Because February 21, 2022, is a federal holiday,³ two business days before the hearing would be February 18. Accordingly, the parties’ proposal represents a change in the filing date from February 18 to February 21. On the other hand, we are persuaded that, as long as the demonstrative exhibits are filed on February 21, we will have adequate time to make them available to the panel in preparation for the February 23 hearing.

Accordingly, it is

ORDERED that the parties shall serve demonstrative exhibits in the above-captioned proceedings on opposing counsel no later than 5:00 pm Eastern Time on February 18, 2022; and

FURTHER ORDERED that the parties shall file demonstrative exhibits in the above-captioned proceedings no later than February 21, 2022.

³ February 21, 2022, is Washington’s Birthday. See <https://www.opm.gov/policy-data-oversight/pay-leave/federal-holidays/#url=2022>.

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