

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARKEMA INC. AND ARKEMA FRANCE,
Petitioner,

v.

HONEYWELL INTERNATIONAL INC.,
Patent Owner.

PGR2016-00011
PGR2016-00012¹
Patent 9,157,017 B2

Before MICHAEL P. TIERNEY, *Vice Chief Administrative Patent Judge*,
GRACE KARAFFA OBERMANN, and KRISTI L. R. SAWERT,
Administrative Patent Judges.

SAWERT, *Administrative Patent Judge*.

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

¹ We exercise our discretion to issue a single Order to be entered in each case using a joint caption. The parties are not permitted to use this caption unless authorized by the Board. For convenience, we use the paper and exhibit numbers from PGR2016-00011.

PGR2016-00011
PGR2016-00012
Patent 9,157,017 B2

On January 27, 2020, the Board issued an Order pursuant to 37 C.F.R. § 42.5 ordering that the cross-examination of Patent Owner's declarant, Mr. Joseph Posillico, shall take place no later than January 30, 2020.

Paper 68 ("Order"), 5. Also that day, Petitioner contacted the Board via e-mail notifying the Board that Mr. Posillico's cross-examination will take place on January 31, 2020. Ex. 3003. In its email, Petitioner states:

We note that this date is outside the time period that the Board ordered the deposition to occur, but counsel for [Petitioner] understands that a scheduling conflict came up, and Mr. Posillico was no longer available on January 28th. Counsel for [Petitioner] is amenable to accommodating Mr. Posillico's schedule and has agreed to the deposition on Friday, January 31, so long as the Board does not object.

Id. Because the parties have conferred and agree to this date for cross-examination, we modify our Order to allow Mr. Posillico's cross-examination to take place no later than January 31, 2020.

In consideration of the above, it is hereby:

ORDERED that a cross-examination of Mr. Joseph Posillico shall take place no later than January 31, 2020.

PGR2016-00011
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