

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  
PGR2016-00012<sup>1</sup>  
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

\_\_\_\_\_  
<sup>1</sup> 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  
PGR2016-00012  
Patent 9,157,017 B2

For PETITIONER:

Mark Sweet  
Mark Feldstein  
Erin Sommers  
Charles Mitchell  
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP  
mark.sweet@finnegan.com  
mark.feldstein@finnegan.com  
erin.sommers@finnegan.com  
charles.mitchell@finnegan.com

For PATENT OWNER:

Gregg LoCascio  
Noah Frank  
KIRKLAND & ELLIS LLP  
glocascio@kirkland.com  
noah.frank@kirkland.com

Eugene Goryunov  
HAYNES & BOONE, LLP  
eugene.goryunov.ipr@haynesboone.com