

The United States Patent and Trademark Office  
PATENT TRIAL AND APPEAL BOARD



Third Party Requester's Representative 123 Main Street New York, NY 10004	Appeal No: Appellant: Reexamination Control No: Hearing Room: Hearing Docket: Hearing Date: Hearing Time: Location:	201X-XXXXXXX XXXXXXX, PATENT OWNER 95/XXX,XXX Alexandria: Room A Chemical Tuesday July 09, 201X 09:00:00 AM EST <b>Madison Building - East Wing 600 Dulany Street, 9th Floor Alexandria, Virginia 22313-1450</b>
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**NOTICE OF HEARING - ALEXANDRIA, VIRGINIA  
RESPONSE REQUIRED WITHIN 21 DAYS**

The Patent Trial and Appeal Board (PTAB) will hear the above-identified appeal on the date indicated. The hearing will commence at the time set, and as soon as the argument in one appeal concludes, the succeeding appeal will be taken up. **The time allowed for argument is 30 minutes for each Appellant or Respondent who has requested a hearing**, unless additional time is requested and approved before the argument commences. **Because the hearing relates to an appeal of a reexamination, the hearing will be open to the public.**

**Hearing Attendance Confirmation or Waiver**

Appellant is required to confirm attendance at the hearing or waive the hearing within 21 days of the mailing date of this notice. Appellant may confirm or waive attendance by completing the "APPELLANT RESPONSE TO NOTICE OF HEARING" and returning it to the PTAB.

Pursuant to § 41.73(d), if any other party to the appeal desires to participate in the oral hearing, but did not request an oral hearing pursuant to § 41.73(b), i.e., within two months after the mailing date of the Examiner's Answer, then this other party will be permitted to participate in the hearing by filing a separate request for oral hearing and the fee set forth in 37 C.F.R. § 41.20(b)(3) within 21 DAYS of the mailing date of this Notice, as well as a confirmation of attendance at the oral hearing.

**Options for Hearing Attendance**

If Appellant opts to attend the hearing, Appellant may appear in-person, by telephone, or by video. In Appellant's response to the NOTICE OF HEARING, Appellant should indicate the manner in which Appellant will appear for the hearing.

### **In-Person Hearing Attendance**

If Appellant selects in-person hearing attendance, Appellant should identify the preferred location. Specifically, Appellant may appear at a hearing room in the USPTO Alexandria headquarters or request to use a hearing room or a conference room in one of the USPTO regional offices located in (1) Detroit, Michigan; (2) Dallas, Texas; (3) Denver, Colorado; and (4) San Jose, California. The PTAB attempts to grant all hearing location requests, subject to space availability. Usage of a hearing room or a conference room in one of the regional offices is not guaranteed until confirmed by the PTAB. In the event the request cannot be granted, then Appellant is responsible for proposing an alternate option, such as selecting a different USPTO location, by telephone, or by video, which is subject to approval by the PTAB. **Appellant's selection and the PTAB's approval to utilize a hearing room or a conference room does not guarantee that an Administrative Patent Judge assigned to the appeal will be physically present at that location.**

If Appellant is no longer interested in having a hearing, then Appellant must file a waiver of the hearing with the PTAB. This allows the panel of Administrative Patent Judges assigned to the appeal to act promptly on the appeal without waiting for the hearing date.

If Appellant fails to respond to this NOTICE OF HEARING, the PTAB will issue a decision on the briefs based on the written record.

### **Telephonic Hearing Attendance**

In lieu of in-person hearing attendance, Appellant may participate in a hearing by telephone. Appellant will receive an Order detailing the telephonic hearing instructions.

### **Video Hearing Attendance**

In lieu of in-person hearing attendance, Appellant may participate in a hearing by video. Appellant will receive an Order detailing the video hearing instructions.

### **Remote Viewing Request**

USPTO regional office locations in (1) Detroit, Michigan; (2) Dallas, Texas; (3) Denver, Colorado; and (4) San Jose, California are generally available for any member of the public to view a hearing, subject to room availability and advance coordination with the PTAB. For example, Appellant's in-house counsel based in Palo Alto, California may wish to view the hearing from the USPTO regional office in San Jose, California rather than travel to a hearing scheduled at the USPTO headquarters in Alexandria, Virginia. To request remote video attendance, Appellant must inform the PTAB of the USPTO regional office location and the number of people planning to attend the hearing from the remote location. The PTAB will notify Appellant if the request for remote viewing is granted. Due to the availability of resources, it may not be possible to grant the request in all instances.

### **Special Requests**

If Appellant has any special requests related to appearing at an in-person hearing, Appellant should inform the PTAB. Special requests may include physical needs that limit mobility, or visual or hearing impairments. Additionally, Appellant may assist the PTAB by indicating ways to accommodate the special requests. The PTAB will make every effort to accommodate the special requests in the manner suggested by Appellant.

### **Submission of Appellant's and/or Respondent's Demonstratives**

If Appellant and/or Respondent has any Power Point slides or other demonstratives, they must be provided to the PTAB five (5) days before the hearing date by sending them to PTABHearings@uspto.gov.

### **Submission of Appellant's Response to the Notice of Hearing**

To return a completed APPELLANT RESPONSE TO NOTICE OF HEARING, Appellant may use one of the following three alternative transmittal methods:

1. By the USPTO Electronic Filing System (EFS), available at <http://www.uspto.gov/patents/process/file/efs/>
2. By facsimile transmission to:
  - The USPTO Central fax number (official copy): **(571) 273-8300**; and
  - The PTAB Hearing fax number (courtesy copy): **(571) 273-9797**.
3. By USPS first class mail to the PTAB mailing address:

Patent Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal number along with the underlying reexamination control number.

### **Questions**

For further information about hearings, see 37 CFR § 41.73 and the Hearings section of the PTAB webpage: <http://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/hearings>. Also, for questions, please contact the PTAB Hearings Clerk at 571-272-9797.

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**APPELLANT RESPONSE TO NOTICE OF HEARING - ALEXANDRIA, VIRGINIA**

Appellant responds to the NOTICE OF HEARING in the above-identified appeal.

**CHECK ONE:**

- I previously filed my oral hearing request pursuant to 37 C.F.R. § 41.73(b).
- I am now filing my initial request to participate in the oral hearing pursuant to 37 C.F.R. § 41.73(d). A request for oral hearing and the fee set forth in 37 C.F.R. § 41.20(b)(3) are either
- attached to this hearing communication or
- have already been submitted.

**Hearing Attendance Options (please select one)**

I elect an IN-PERSON hearing and request to appear at a hearing room in the following USPTO office:

- ALEXANDRIA, VA - 600 Dulany Street  
 DALLAS, TX - 207 South Houston Street  
 SAN JOSE, CA - 26 S. Fourth Street  
 DETROIT, MI - 300 River Place Drive  
 DENVER, CO - 1961 Stout Street

- I elect a TELEPHONIC hearing.
- I elect a VIDEO hearing and will appear from a non-USPTO location that I secure for myself.
- I WAIVE the hearing.
- I am requesting to RESCHEDULE the hearing. **A separate paper must be filed.**

**Remote Viewing Request (please select one)**

Appellant requests remote viewing of the hearing at the following designated USPTO office for the following number of persons: \_\_\_\_\_.

- ALEXANDRIA, VA - 600 Dulany Street
- DALLAS, TX - 207 South Houston Street
- SAN JOSE, CA - 26 S. Fourth Street
- DETROIT, MI - 300 River Place Drive
- DENVER, CO - 1961 Stout Street

**Conflicts**

To aid the judges assigned to the appeal in determining whether any conflicts exist that may require a recusal, please list the names of any additional person(s) who will be participating in the oral hearing and their affiliation with Appellant.

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**Special Requests**

If Appellant has any special requests related to appearing at an in-person oral hearing, please list those requests. Special requests may include physical needs that limit mobility, or visual or hearing impairments. For any special request, please indicate any ways that the PTAB may accommodate the special request.

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For any questions regarding Appellant's response to the NOTICE OF HEARING, Appellant may be reached via the contact information provided below.

\_\_\_\_\_  
Typed or Printed Name of Attorney/Agent/Appellant

\_\_\_\_\_  
Registration No.

\_\_\_\_\_  
E-Mail address

\_\_\_\_\_  
Phone number

\_\_\_\_\_  
Signature of Attorney/Agent/Appellant

\_\_\_\_\_  
Date

PATENT OWNER

THIRD PARTY REQUESTER

cc: Patent Owner

Patent Owner's Representative  
456 MAIN STREET  
IRVINE, CA 92614