

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOERTEK, INC. AND GOERTEK ELECTRONICS, INC.
Petitioner

v.

KNOWLES ELECTRONICS, LLC
Patent Owner

Case IPR2013-00614

Patent 7,439,616

**PATENT OWNER KNOWLES ELECTRONICS, LLC'S
LIST OF PROPOSED MOTIONS AND MODIFICATION TO
SCHEDULING ORDER**

Further to the Decision of the Board to institute *inter partes* review (Paper 13), and in preparation for the initial conference call scheduled for March 21, 2014, Patent Owner notes that the Board has ordered that the present proceeding (IPR2013-00614) be conducted on the same schedule as IPR2013-00523. The Scheduling Order in each proceeding provided the parties with flexibility to stipulate different dates for DUE DATES 1-3 (earlier or later, but no later than Due Date 4).

To meet the joint schedule, particularly given that Petitioner filed two expert declarations in each proceeding, Patent Owner seeks: (i) to simplify the proceedings for all Parties by stipulating that no motion to amend would be filed; and (ii) to modify the Scheduling Order by adjusting Due Dates 1 and 2 as set forth in the Due Date Appendix below (Due Date 3 would be eliminated given no motion to amend).

Having conferred with Petitioner with regard to modifying the Scheduling Order, Petitioner declined, without reason, to agree to this proposed modified schedule, merely stating that it “cannot agree to the revised schedule [Patent Owner] proposed,” while refraining from offering any alternative proposal.

Patent Owner seeks the Board’s assistance during the March 21 conference call in reaching agreement on a revised schedule.

Patent Owner provides provides the following list of proposed motions.

1. Motion for Change in DUE DATES 1-3 as set forth in the Scheduling Order (Paper 14). Patent Owner hereby stipulates that **no** Motion to Amend will be filed, and, as such, moves to adjust DUE DATE 1 from May 5, 2014 to May 26, 2014, DUE DATE 2 from July 7, 2014 to July 21, 2014, and to eliminate DUE DATE 3 (currently set for August 4, 2014), as set forth in the DUE DATE APPENDIX below.

2. Contingent upon any reply witness proffered by petitioner, Patent Owner reserves the right to file a Motion for Observation on Cross-Examination as set forth in the Scheduling Order. *Office Patent Trial Practice Guide*, 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012); Scheduling Order, Paper 14.

3. Contingent upon the evidence presented by petitioner, Patent Onwer reserves the right to file a Motion to Exclude Evidence Under 37 C.F.R. § 46.64 as set forth in the Scheduling Order; *Office Patent Trial Practice Guide*, 77 Fed. Reg. 48756, 48767 (Aug. 14, 2012); Scheduling Order, Paper 14.

DUE DATE APPENDIX

DUE DATE 1 May 26, 2014

Patent Owner's response to the petition

DUE DATE 2 July 21, 2014

Petitioner's reply to Patent Owner response to petition

DUE DATE 3¹

None

DUE DATE 4 Aug. 25, 2014

Patent Owner's motion for observation regarding cross-examination of reply
witness

Motion to exclude evidence

Request for oral argument

DUE DATE 5 Sept. 8, 2014

Petitioner's response to observation

Opposition to motion to exclude

¹ Because no motion to amend will be filed, no due date is set for DUE DATE 3.

The numbering of due dates remains the same to maintain consistency with the original schedule.

DUE DATE 6 Sept. 15, 2014

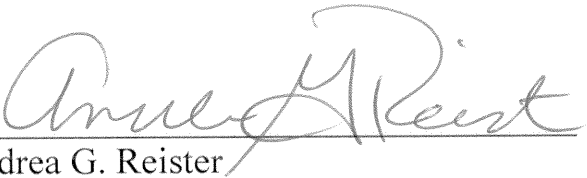
Reply to opposition to motion to exclude

DUE DATE 7 Oct. 2, 2014

Oral argument (if requested)

Date: March 19, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on this 19th day of March 2014, the foregoing Patent Owner Knowles Electronics, LLC's List of Proposed Motions and Modification to Scheduling Order was served by agreement of the parties via email on the following counsel of record for petitioners.

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Dated: March 19, 2014


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