

Turner, Kevin

Subject: FW: [IPR2020-00558] and [IPR2020-00511] - Oral Hearing Schedule

From: Harper Batts <HBatts@sheppardmullin.com>

Sent: Thursday, January 28, 2021 1:10 PM

To: Trials <Trials@USPTO.GOV>

Cc: Chris Ponder <CPonder@sheppardmullin.com>; Jeffrey Liang <JLiang@sheppardmullin.com>; LegalTM-DivX-IPR <LegalTM-DivX-IPR@sheppardmullin.com>; Kenneth Weatherwax <weatherwax@lowensteinweatherwax.com>; Parham Hendifar <hendifar@lowensteinweatherwax.com>; Bridget Smith <smith@lowensteinweatherwax.com>; Patrick Maloney <maloney@lowensteinweatherwax.com>; DivX <DivX_IPRs@lowensteinweatherwax.com>

Subject: [IPR2020-00558] and [IPR2020-00511] - Oral Hearing Schedule

Dear Honorable Board,

It has come to our attention that we are scheduled to argue two oral hearings on the same day before the Board:

- In IPR2020-00558 (regarding U.S. Patent No. 10,225,588), oral hearing is scheduled for May 12, 2021. See Dkt. IPR2020-00558, Paper 11 at 11.
- In IPR2020-00511 (regarding U.S. Patent No. 9,184,920), oral hearing is scheduled for May 12, 2021. See Dkt. IPR2020-00511, Paper 16 at 11.

While the parties have numerous IPR proceedings currently before the Board, the above proceedings concern unrelated patents, different prior art, and different invalidity grounds. While mindful of the Scheduling Orders language regarding requests for modification be made within 1 month of the issuance of a Scheduling Order, Petitioners believe that the quality of oral argument will be improved if the hearings are not scheduled on the same day, given the difficulty of arguing two unrelated oral hearings on the same day. As the hearings are still over 3 months out, Petitioners are writing to inquire if the Board would be able to reschedule one of these hearings to ease this burden and improve the quality of oral arguments.

We have contacted opposing counsel on these matters, who declined to join our request.

Other than February 1st when oral argument involving the parties (IPR2020-00052) is scheduled, Petitioners are generally available for a telephone conference with the Board next week.

Respectfully Submitted,

Harper Batts
Lead Counsel for Petitioners Netflix and Hulu

Harper Batts

+1 650-815-2673 | direct

HBatts@sheppardmullin.com | [Bio](#)

Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.