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Paper: 36
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

MAXELL, LTD.
Patent Owner.

IPR2024-00777
Patent 11,017,815 B2

Before JAMESON LEE, TERRENCE W. McMILLIN, and KEVIN C. TROCK, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

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

I. Introduction

We instituted *inter partes* review on November 8, 2024. Paper 12. Oral hearing is scheduled to take place on September 24, 2025. Paper 34. On July 25, 2025, Patent Owner by email requested a pre-hearing conference call to: (1) "Request that the Board rule on Maxell [Patent Owner]'s motion to exclude evidence in IPR2024-00735 and IPR2024-00777 prior to the [oral hearing]"; and (2) "Discuss Maxell [Patent Owner]'s making an offer of proof under FRE 103(a) addressing inconsistent statements made by petitioner pertaining to [a number of proceedings including IPR2024-00777]."

II. Discussion

With regard to Item (1), we decline to rule on Patent Owner's Motion to Exclude prior to the oral hearing, because the motion possibly may be moot and need not be reached when we issue the final written decision in this case. It is not an efficient use of resources to decide a motion which possibly need not be considered.

With regard to Item (2), we are unaware of any evidentiary ruling in this proceeding that relates to inconsistent statements by Petitioner, and Patent Owner does not articulate a specific need for any offer of proof under Fed. R. Evid. 103(a). Further, it is unclear how this request fits within the confines of a pre-hearing conference.

III. Order

It is

ORDERED that Patent Owner's request for a pre-hearing conference is *denied*.

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