

From: [Trials](#)
To: [Peterson, Jacob](#); [Trials](#)
Cc: [Brian Eutermoser](#); [Mikaela Stone](#); [Ojeiku Aisiku](#); [eVision-IPRS](#); [MLB-Luxottica-IPR-483](#); [MLB-Luxottica-IPR-174](#); [MLB-Luxottica-IPR-541](#); [MLB-Luxottica-IPR-960](#); [MLB-Luxottica-IPR-355](#)
Subject: RE: IPR2024-01030/-01069/-01070/-01071/-01072 – Oral Argument Logistics
Date: Monday, September 15, 2025 3:40:45 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Counsel,

The Board thanks the parties for their input. We have reviewed the parties' proposals and agree with Patent Owner that these cases do not warrant 10 hours of total argument time spread over two days. We agree that 30 minutes of time per side, per proceeding (one hour total per proceeding), is sufficient. Each proceeding shall have a separate hearing, but a combined transcript will cover all proceedings and will be entered into the docket for each case to avoid the need to repeat arguments common to multiple proceedings. With that in mind, the oral hearings will proceed separately for each case, in the following order:

IPR2024-01030 (starting at 9:30 a.m.)

[10 minute break]

IPR2024-01071

[60 minute break for lunch]

IPR2024-01069

[10 minute break]

IPR2024-01070

[10 minute break]

IPR2024-01072

With this approach, we expect all of the oral hearings to conclude by approximately 4:30 p.m. ET, and possibly sooner if the parties do not use all of their allotted time for all of the proceedings.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Peterson, Jacob <jacob.peterson@morganlewis.com>

Sent: Monday, September 15, 2025 2:17 PM

To: Trials <Trials@USPTO.GOV>

Cc: Brian Eutermoser <BEutermoser@KSLAW.com>; Mikaela Stone <Mikaela.Stone@KSLAW.com>; Ojeiku Aisiku <OAisiku@KSLAW.com>; eVision-IPRS <eVision-IPRS@KSLAW.com>; MLB-Luxottica-IPR-483 <MLB-Luxottica-IPR-483@morganlewis.com>; MLB-Luxottica-IPR-174 <MLB-Luxottica-IPR-174@morganlewis.com>; MLB-Luxottica-IPR-541 <MLB-Luxottica-IPR-541@morganlewis.com>; MLB-Luxottica-IPR-960 <MLB-Luxottica-IPR-960@morganlewis.com>; MLB-Luxottica-IPR-355 <MLB-Luxottica-IPR-355@morganlewis.com>

Subject: IPR2024-01030/-01069/-01070/-01071/-01072 – Oral Argument Logistics

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Your Honors,

Pursuant to the footnote instructions in the Order setting oral argument in AIA Nos. IPR2024-01030/-01069/-01070/-01071/-01072, the parties have conferred regarding hearing logistics. However, the parties were unable to reach agreement on the appropriate duration of oral hearings for each proceeding.

Petitioner submits that 60 minutes per side, per proceeding, would be appropriate. Although the petitions were filed on the same day and the Board issued scheduling orders with overlapping due dates, that overlap does not affect the merits of the disputes. Petitioner further understands that this duration of oral argument will likely require hearings to be held over two days.

Patent Owner agrees with the argument format set forth in the Board's order. Given the overlapping subject matter of the five proceedings and the fact that Patent Owner presented rebuttal arguments for only a subset of the challenged claims, ten total hours of argument is unnecessary and excessive. If the Board is inclined to grant additional time, Patent Owner submits that a single-day hearing, with 30 minutes per side allocated to each proceeding, is more than sufficient.

Counsel for both Petitioner and Patent Owner are copied on this email and are available to discuss these matters with the Board should that be helpful

Respectfully,

Jacob Peterson

Counsel for Petitioner Luxottica of America Inc.

Jacob Peterson

Morgan, Lewis & Bockius LLP

1301 Second Avenue, Suite 3000 | Seattle, WA 98101

Direct: +1.206.274.6477 | Main: +1.206.274.6400 | Fax: +1.206.274.6401

Assistant: Trang La | +1.206.274.6389 | trang.la@morganlewis.com

jacob.peterson@morganlewis.com | www.morganlewis.com

