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IPR2025-00167, Paper 42
IPR2025-00168, Paper 42
IPR2025-00169, Paper 43
IPR2025-00170, Paper 41
IPR2025-00171, Paper 41
IPR2025-00381, Paper 32
PGR2025-00016, Paper 34
Date: February 11, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KUBOTA NORTH AMERICA CORPORATION,
Petitioner,

v.

VERMEER MANUFACTURING COMPANY,
Patent Owner.

IPR2025-00167 to -00169 (Patent 9,321,386 B1)
IPR2025-00170 (Patent 9,975,750 B2)
IPR2025-00171 (Patent 10,202,266 B2)
IPR2025-00381 (Patent 11,465,891 B2)
PGR2025-00016 (Patent 12,098,063 B2)¹

Before MEREDITH C. PETRAVICK, ANNETTE R. REIMERS, and
ERIC C. JESCHKE, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER
Setting Consolidated Oral Hearing
37 C.F.R. § 42.70

¹ This Order addresses issues that are the same in each of the above-listed proceedings. We issue one Order to be filed in each proceeding. The parties are not authorized to use this caption, unless authorized by the Board.

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I. ORAL HEARING

A. *Time and Format*

A consolidated oral hearing for these seven proceedings will commence at **9:00 a.m. Eastern Time on March 19, 2026**, at the USPTO Headquarters in PTAB Hearing Room D, located on the 9th floor of Madison East, 600 Dulany Street, Alexandria, Virginia.^{2,3} The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing. The transcript will be entered into the records of these seven proceedings.⁴

Patent Owner requests consolidation of these seven proceedings, and Petitioner did not oppose that request. *See, e.g.*, IPR2025-00167, Papers 39 & 40 (representative filings for IPR2025-00167 through -00171); IPR2025-00381, Papers 30 & 31 (representative filings for IPR2025-00381 and PGR2025-00016). The scheduled hearing on March 20, 2026 is cancelled.

² If a party is no longer able to appear in person for the hearing, the party must contact PTABHearings@uspto.gov as soon as possible.

³ Visitors to any USPTO facility where identification is required must present state-issued identification that is REAL ID-compliant. Alternatively, visitors can present another form of government-issued photo identification listed on the Department of Homeland Security Transportation Security Administration's Acceptable IDs webpage at <https://www.tsa.gov/travel/security-screening/identification>.

⁴ If there are any concerns about disclosing confidential information, the parties must contact the Board at Trials@uspto.gov **at least ten (10) business days before the hearing date.**

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Petitioner requests 90 minutes per side for a consolidated hearing addressing all seven proceedings. *See, e.g.*, IPR2025-00167, Paper 39 at 1–2; IPR2025-00381, Paper 30 at 1. Patent Owner proposes 60 minutes per side for a consolidated hearing addressing all seven proceedings. *See, e.g.*, IPR2025-00167, Paper 40 at 3; IPR2025-00381, Paper 31 at 3. We agree with Petitioner that 90 minutes per side is a reasonable amount of time to address seven different proceedings, even with a number of overlapping issues for those proceedings.

Thus, Petitioner will have **a total of ninety (90) minutes** to present arguments for all seven proceedings, and Patent Owner will have **a total of ninety (90) minutes** to respond. Petitioner will open the hearing by presenting its case regarding the challenged claims for which the Board instituted trial. Thereafter, Patent Owner will respond to Petitioner’s argument. Petitioner may reserve rebuttal time to respond to arguments presented by Patent Owner. In accordance with the Consolidated Trial Practice Guide⁵ (“TPG”), issued in November 2019, Patent Owner may request to reserve time for a brief sur-rebuttal. *See* TPG 83.

The parties may request a pre-hearing conference in advance of the hearing. *See* TPG 82. “The purpose of the pre-hearing conference is to afford the parties the opportunity to preview (but not argue) the issues to be discussed at the hearing, and to seek the Board’s guidance as to particular issues that the panel would like addressed by the parties.” *Id.* If either party

⁵ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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desires a pre-hearing conference, the parties should jointly contact the Board at Trials@uspto.gov **by DUE DATE 6** (as indicated in the Scheduling Orders in these proceedings) to request a conference call for that purpose. Any request should include an agreed-upon set of issues for discussion and several proposed times for the conference. Any pre-hearing conference should take place **at least three business days before the hearing date.**

B. Demonstratives

As set forth in 37 C.F.R. § 42.70(b), demonstratives shall be served on opposing counsel **at least seven (7) business days before the hearing date.** In addition, demonstratives shall be filed (as a separate exhibit in accordance with 37 C.F.R. § 42.63(a)) **at least three (3) business days before the hearing date.**⁶

Demonstratives are not a mechanism for making new arguments. Demonstratives also are not evidence and will not be relied upon as evidence. Rather, demonstratives are visual aids to a party's oral presentation regarding arguments and evidence previously presented and discussed in the papers. Accordingly, demonstratives shall be clearly marked with the words "DEMONSTRATIVE EXHIBIT – NOT EVIDENCE" in the footer. *See Dell Inc. v. Accelaron, LLC*, 884 F.3d 1364, 1369 (Fed. Cir. 2018) (holding that the Board is obligated under its own

⁶ The parties may stipulate to an alternative schedule **for serving** demonstratives, and shall file, as a paper, any such joint stipulation **at least seven (7) business days before the hearing date.** The parties may not modify the deadline **for filing** demonstratives.

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regulations to dismiss untimely argument “raised for the first time during oral argument”). “[N]o new evidence may be presented at the oral argument.” TPG 86; *see also St. Jude Med., Cardiology Div., Inc. v. Bd. of Regents of the Univ. of Mich.*, IPR2013-00041, Paper 65 at 2–3 (PTAB Jan. 27, 2014) (explaining that “new” evidence includes evidence already of record but not previously discussed in any paper of record).

Furthermore, because of the strict prohibition against the presentation of new evidence or arguments at a hearing, it is strongly recommended that each demonstrative includes a citation to a paper in the record, which allows the Board to easily ascertain whether a given demonstrative contains “new” argument or evidence or, instead, contains only that which is developed in the existing record.

Due to the nature of the Board’s consideration of demonstratives and the opportunity afforded for the parties to reach an agreement without involving the Board, the Board does not anticipate that objections to demonstratives are likely to be sustained. Nevertheless, to the extent that a party objects to the propriety of any demonstrative, the parties shall meet and confer in good faith to resolve any objections to demonstratives prior to filing the objections with the Board. If such objections cannot be resolved, the parties may jointly file with the Board a list of objections to demonstratives **at least three (3) business days before the hearing date.**

The objections shall identify with particularity which portions of the demonstratives are subject to objection (and should include a copy of the objected-to portions) and include a short, one-sentence statement of the reason for each objection. No argument or further explanation is permitted.

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The Board will consider any objections, and may reserve ruling on the objections.⁷ Any objection to demonstratives that is not timely presented will be considered waived.

Finally, the parties are reminded that each presenter should identify clearly and specifically each paper (e.g., by slide or screen number for a demonstrative) referenced during the hearing to ensure the clarity and accuracy of the court reporter's transcript.

C. Presenting Counsel

The Board generally expects lead counsel for each party to be present at the hearing. *See* TPG 11. Any counsel of record may present the party's argument as long as that counsel is present in person.

D. Remote Attendance Requests

Members of the public may request to listen to and/or view this hearing. If resources are available, the Board generally expects to grant such requests. If either party objects to the Board granting such requests, for example, because confidential information may be discussed, the party must notify the Board at PTABHearings@uspto.gov **at least ten (10) business days before the hearing date.**

E. Audio/Visual Equipment Requests

Any special requests for audio-visual equipment should be directed to PTABHearings@uspto.gov. A party may also indicate any special requests related to appearing at a video hearing, such as a request to accommodate

⁷ If time permits, the Board may schedule a conference call with the parties to discuss any filed objections.

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deaf or hard-of-hearing individuals and blind or low-vision individuals, and indicate how the PTAB may accommodate the special request. Any special requests must be presented in a separate communication **at least five (5) business days before the hearing date.**

F. Legal Experience and Advancement Program

The parties are encouraged to participate in the LEAP program.⁸ Either party may request that a qualifying LEAP practitioner participate in the program and conduct at least a portion of the party's oral argument. The Board will grant up to fifteen (15) minutes of additional argument time to that party. Interested parties should submit a LEAP Practitioner Verification Form and Request for Oral Hearing Participation, **at least five (5) business days before the hearing date,** by email to the Board at PTABHearings@uspto.gov.

II. ORDER

Accordingly, it is

ORDERED that a consolidated oral hearing for these proceedings shall commence at **9:00 a.m. Eastern Time on March 19, 2026**, at the USPTO Headquarters in PTAB Hearing Room D, located on the 9th floor of Madison East, 600 Dulany Street, Alexandria, Virginia and proceed as described above.

⁸ Information about the LEAP program and the combined LEAP Practitioner Request for Oral Hearing Participation and Verification Form can be found at www.uspto.gov.leap.

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