

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

IPR2025-00217 (U.S. Patent No. 10,952,153 B2)
IPR2025-00219 (U.S. Patent No. 9,706,500 B2)¹

Before KRISTEN L. DROESCH, FREDERICK C. LANEY, and
AARON W. MOORE, *Administrative Patent Judges*.

LANEY, *Administrative Patent Judge*.

ORDER
Setting Oral Argument
37 C.F.R. § 42.70

¹ We exercise our discretion to issue a single Order, to be filed in each case.
The parties are not authorized to use this caption for subsequent papers.

I. ORAL ARGUMENT

A. *Time and Format*

Oral argument will commence at **9 AM Eastern Time** on **April 7, 2026**, and will be open to the public for in-person attendance on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia in **Hearing Room A**. We will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.²

Each party will have **75 minutes total to address both proceedings**. Petitioner will present its case, followed by Patent Owner. Petitioner and Patent Owner may both reserve rebuttal time. *See* Consolidated Trial Practice Guide³ ("CTPG"), issued in November 2019, 83.

If either party desires a pre-hearing conference, the parties should jointly contact the Board at Trials@uspto.gov at least 7 business days before the hearing. *See id.* at 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.*

² Hearings are typically open to the public. If there are any concerns about disclosing confidential information, the parties must contact the Board at Trials@uspto.gov at least 10 business days before the hearing.

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

B. Demonstratives and Audio–Visual Equipment

Per 37 C.F.R. § 42.70(b), demonstratives shall be served on opposing counsel at least 7 business days before the hearing. They should be filed⁴ no later than 3 business days before the hearing.⁵

Demonstratives are not evidence and should not include new arguments. Rather, demonstratives aid the presentation of previously discussed arguments and evidence. Accordingly, demonstratives shall include “DEMONSTRATIVE EXHIBIT – NOT EVIDENCE” in the footer.

We recommend that demonstratives include citations to papers in the record. This allows the Board to easily ascertain whether “new” arguments or evidence are addressed. *See Dell Inc. v. Acceleron, LLC*, 884 F.3d 1364, 1369 (Fed. Cir. 2018) (holding that the Board’s regulations obligate dismissing argument “raised for the first time during oral argument”).

If 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 file any objections to demonstratives with the Board no later than the time of the hearing. 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 one sentence statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider any objections, and may reserve ruling on the objections. Any

⁴ Demonstratives should be filed as an Exhibit in P-TACTS.

⁵ The parties may stipulate to an alternative schedule for serving demonstratives at least 7 business days before the hearing.

objection to demonstratives that is not timely presented will be considered waived.

C. Presenting Counsel

The Board generally expects lead counsel for each party to be present at the hearing. *See* CTPG 11. Any counsel of record may present the party's argument.

Parties are encouraged to participate in the LEAP program.⁶ 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 15 minutes of additional argument time to that party. A party should submit the LEAP Practitioner Request for Oral Hearing Participation and Verification Form, at least 5 business days before the oral hearing, by email to the Board at PTABHearings@uspto.gov.

D. 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 the hearing, such as a request to accommodate 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 5 business days before the hearing.

⁶ 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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II. ORDER

Accordingly, it is

ORDERED that oral argument for these proceedings shall commence at **9:00 AM Eastern Time on April 7, 2026**, and proceed in the manner set forth herein.

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