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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AXON ENTERPRISE, INC., DEDRONE HOLDINGS, INC., and SKYDIO, INC.,
Petitioner,

v.

AIRSPACE SYSTEMS, INC.,
Patent Owner.

IPR2025-00525 (Patent 10,713,959 B2)[1]
IPR2025-00530 (Patent 10,249,199 B2)
IPR2025-00629 (Patent 10,514,711 B2)

Before MICHAEL R. ZECHER, BARRY L. GROSSMAN, and SCOTT C. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

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

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[1] This Order applies to each of the listed cases. We exercise our discretion to issue one Order to be docketed in each case. The Parties are not authorized to use this style of caption.

ORAL ARGUMENT

Time and Format[2]

Oral arguments will commence at 1:00 PM Eastern Time on Tuesday, July 28, 2026, at U.S. Patent and Trademark Office ("USPTO") Headquarters[3], 600 Dulany St., Alexandria, Virginia.[4] The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

The hearings for each of the three proceedings will proceed sequentially. Petitioner will have a total of 90 minutes to present arguments in these three cases, and Patent Owner will have a total of 90 minutes to respond. Unless otherwise stipulated by the parties, this time shall be allocated as follows. Each party shall have 25 minutes of total oral argument time for each of IPR2025-00525 and IPR2025-00530. In those cases, Patent Owner filed non-contingent revised motions to amend, and only the proposed substitute claims are at issue. Each party shall have 40 minutes of total oral argument time for IPR2025-00629. In that case, both

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[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 five business days before the hearing date.

original and substitute claims are at issue. If the parties decide to stipulate to a different allocation of time among the three proceedings, the total time allocated to each side for all three hearings combined shall not exceed 90 minutes.

In each proceeding, Petitioner shall present first, setting forth all arguments regarding the alleged unpatentability of the original and/or proposed substitute claims at issue, as well as any arguments regarding Patent Owner's alleged failure to comply with the statutory and regulatory requirements for motions to amend (*see* 35 U.S.C. § 316(d); 37 C.F.R. § 42.121 (a)–(b)). Petitioner may also reserve time for rebuttal arguments. Patent Owner will present next, setting forth its arguments regarding alleged compliance with the statutory and regulatory requirements, and the alleged patentability of the original and/or proposed substitute claims. In accordance with the Trial Practice Guide,[5] issued in December 2025, Patent Owner may also reserve time for a brief sur-rebuttal. *See* Trial Practice Guide § II.M. After Patent Owner concludes its presentation, Petitioner may present rebuttal arguments if it has reserved time to do so. Any rebuttal arguments must be responsive to, and not exceed the scope of, the arguments previously set forth by Patent Owner. Finally, Patent Owner may present sur-rebuttal arguments if it has reserved time to do so. Such arguments must be responsive to, and not exceed the scope of, the arguments that Petitioner raised in its rebuttal arguments.

[5] Available at https://www.uspto.gov/patents/ptab/trial-practice-guide.

Demonstratives

Parties shall serve demonstratives on opposing counsel at least four business days before the hearing date and shall file them no later than the time of the hearing.[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. Acceleron, LLC*, 884 F.3d 1364, 1369 (Fed. Cir. 2018) (holding that the Board is obligated under its own regulations to dismiss untimely argument "raised for the first time during oral argument"). "[N]o new evidence may be presented at the oral argument." Trial Practice Guide § II.M; *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).

Further, because of the strict prohibition against the presentation of new evidence or arguments at a hearing, the Board strongly recommends that each demonstrative include a citation to a paper in the record, which

[6] The parties may stipulate to an alternative schedule for serving and filing demonstratives, so long as demonstratives are filed no later than the time of the hearing.

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. 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 and for the benefit of all participants appearing electronically.

Presenting Counsel

The Board expects lead counsel for each party to be present at the hearing. *See* Trial Practice Guide § I.B. Any counsel of record may present the party's argument as long as that counsel is present.

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 business days prior to the hearing date.

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 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 business days before the hearing date.

ORDER

Accordingly, it is

ORDERED that oral argument for this proceeding shall commence at 1:00 PM Eastern Time on Tuesday, July 28, 2026, at USPTO Headquarters, 600 Dulany St., Alexandria, Virginia.

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