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Paper 38
Date: September 11, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

XIFI NETWORKS R&D, INC.,
Patent Owner.

IPR2025-01203 (Patent 11,849,337 B1); IPR2025-01204 (Patent 11,818,591 B2)
IPR2025-01205 (Patent 12,003,976 B1); IPR2025-01206 (Patent 11,950,105 B1)
IPR2025-01207 (Patent 12,015,933 B1); IPR2025-01208 (Patent 11,974,143 B2)
IPR2025-01209 (Patent 11,856,414 B1); IPR2025-01270 (Patent 12,114,177 B2)
PGR2025-00067 (Patent 12,190,198 B1); PGR2025-00068 (Patent 12,169,756 B2)
PGR2025-00069 (Patent 12,250,564 B2)[1]

Before HUNG H. BUI, KEVIN W. CHERRY, KEVIN C. TROCK,
JOHN D. HAMANN, MICHAEL T. CYGAN, and STEPHEN E. BELISLE,
Administrative Patent Judges.[2]

PER CURIAM.

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

[1] This Order addresses issues that are the same in the identified cases. We exercise our discretion to issue one Order to be filed in each case. The parties, however, are not authorized to use this filing style in subsequent papers.
[2] This is not an order by an expanded panel. The Administrative Patent Judges listed are paneled in various groups of three in the above-identified proceedings.

I. ORAL ARGUMENT

A. Time and Format[3]

Oral arguments in IPR2025-01203, IPR2025-01204, IPR2025-01205, IPR2025-01206, IPR2025-01207, IPR2025-01208, IPR2025-01209, IPR2025-01270, PGR2025-00067, PGR2025-00068, and PGR2025-00069 *shall be consolidated into a single hearing*, and will commence, in person, on Wednesday, October 7, 2026, at 12:00 PM Eastern Time, *and continue on* Thursday, October 8, 2026, at 1:00 PM Eastern Time, at the USPTO Headquarters in Alexandria, Virginia.[4,5] The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the consolidated hearing.

Petitioner will have a total of four (4) hours to present argument in these cases and Patent Owner will have a total of four (4) hours to respond. Oral argument over the two hearing days will be structured as follows: first, on day one, the parties shall begin by addressing issues common to all cases, such as obviousness of challenged claims, as well as any non-PGR-only issues; and second, on day two, the parties may continue to address issues common to all cases including as to the obviousness of challenged claims and shall conclude the day by addressing PGR-only issues, such as Section 112 (written description,

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[3] 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.

[4] 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.

[5] 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.

indefiniteness) and Section 101, as well as any other remaining IPR or PGR issues.[6] For both day one and day two, Petitioner will begin by presenting its case concerning the foregoing topics, and thereafter, Patent Owner will respond to Petitioner's argument. Each day, Petitioner may reserve rebuttal time to respond to arguments presented by Patent Owner. In accordance with the Trial Practice Guide,[7] issued in December 2025, Patent Owner may request to reserve time for a brief sur-rebuttal. *See* Trial Practice Guide § II.M. Patent Owner's sur-rebuttal must be limited in scope to the issues Petitioner raises during its rebuttal.

The Board will hold a pre-hearing conference on Monday, September 14, 2026, at 1:00 PM Eastern Time. *See id.* § II.M. "The purpose of the pre-hearing conference is for the Board panel to provide guidance as to particular issues that the panel would like the parties to address at the oral hearing, for example, claim construction issues, reason to combine prior art teachings, or objective indicia of non-obviousness. The pre-hearing conference also provides the parties the opportunity to identify (but not argue) any issues the parties would like to address at the oral hearing." *Id.*

B. Demonstratives

Demonstratives shall be served on opposing counsel at least five (5) business days before the hearing date and filed at least two (2) business days before the hearing date.[8]

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[6] The Board understands that the parties' arguments as well as the Board's questioning during the second day might implicate issues discussed during the first day, and would remain flexible in allowing the parties to best present their cases in the consolidated forum.

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

[8] The parties may agree to an alternative schedule for *serving* demonstratives without involving the Board.

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 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.

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 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 (1) 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.[9] 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 and for the benefit of all participants appearing electronically.

C. Presenting Counsel

The Board generally 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 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 prior to 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 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

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

presented in a separate communication at least five (5) business days before the hearing date.

F. Legal Experience and Advancement Program

Parties are encouraged to participate in the LEAP program.[10] 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 Verification Form and Request for Oral Hearing Participation, at least 5 business days before the oral hearing, by email to the Board at PTABHearings@uspto.gov.

II. ORDER

Accordingly, it is

ORDERED that oral arguments in IPR2025-01203, IPR2025-01204, IPR2025-01205, IPR2025-01206, IPR2025-01207, IPR2025-01208, IPR2025-01209, IPR2025-01270, PGR2025-00067, PGR2025-00068, and PGR2025-00069 shall be consolidated into a single hearing, and will commence, in person, on Wednesday, October 7, 2026, at 12:00 PM Eastern Time, and continue on Thursday, October 8, 2026, at 1:00 PM Eastern Time, at the USPTO Headquarters in Alexandria, Virginia, and proceed in the manner set forth herein.

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[10] 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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