

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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U.S. BANCORP  
Petitioner

v.

RETIREMENT CAPITAL ACCESS COMPANY LLC  
Patent Owner

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Case CBM2013-00014  
Patent 6,625,582

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Before GLENN J. PERRY, THOMAS L. GIANNETTI, and TRENTON A.  
WARD, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

ORDER  
Conduct of Proceeding  
*37 C.F.R. § 42.5*

The Scheduling Order in this proceeding sets the date for oral hearing to April 1, 2014, if a hearing is requested by the parties and granted by the Board.

Both Petitioner and Patent Owner have requested oral hearing pursuant to 37 C.F.R. § 42.70. The requests for oral hearing are *granted*. Each party will have one hour to present arguments.

As Petitioner bears the ultimate burden of proof that Patent Owner's claims at issue in this review are unpatentable, Petitioner will open the hearing by presenting its case regarding the challenged claims for which the Board instituted trial. Patent Owner will then respond to Petitioner's argument. Petitioner may reserve time to respond to arguments presented by the Patent Owner.

The hearing will commence at 1 PM, on April 1, 2014, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. The Board will provide a court reporter for the hearing and the reporter's transcript will constitute the official record of the hearing.

There are no motions to seal in the present proceeding. Accordingly, the Board exercises its discretion to make the final hearing publically available via in-person attendance. The hearing will be open to the public for in-person attendance that will be accommodated on a first-come, first-served basis.

The parties are reminded that under 37 C.F.R. § 42.53(f)(7), a proponent of deposition testimony must file such testimony as an exhibit. The Board will not consider any deposition testimony that has not been so filed. Furthermore, under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served at least five business days before the hearing date. The Board requests also that such exhibits be filed at the Board at least five business days before the hearing. The parties must file any objections to the demonstratives with the Board at least two business days before

the hearing. Any objection to demonstrative exhibits that is not timely presented will be considered waived. The objections should identify with particularity which demonstratives are subject to objection, and include a short (one sentence or less) statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider the objections and schedule a conference if deemed necessary. Otherwise, the Board will reserve ruling on the objections until after the oral argument.

The Board expects lead counsel for each party to be present in person at the oral hearing. However, any counsel of record may present the party's argument. If either party expects that its lead counsel will not be attending the oral argument, the parties should initiate a joint telephone conference with the Board no later than two business days prior to the oral hearing to discuss the matter.

Any special requests for audio visual equipment should be directed to [Trials@uspto.gov](mailto:Trials@uspto.gov).

Case CBM2013-00014  
Patent 6,625,582

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