

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QSC AUDIO PRODUCTS, INC.,  
Petitioner,

v.

CREST AUDIO, INC.,  
Patent Owner.

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Case IPR2014-00127 (Patent 6,023,153)  
Case IPR2014-00129 (Patent 5,652,542)  
Case IPR2014-00131 (Patent 5,652,544)<sup>1</sup>

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Before GLENN J. PERRY, BRYAN F. MOORE, and MIRIAM L. QUINN,  
Administrative Patent Judges.

QUINN, Administrative Patent Judge.

ORDER  
Conduct of the Proceedings  
*37 C.F.R. § 42.5*

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<sup>1</sup> This Order addresses scheduling that is identical in the listed cases. We exercise our discretion to issue a single paper to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

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An initial conference call in the above proceeding was held on May 22, 2014, among respective counsel for Petitioner and Patent Owner, and Judges Quinn, Moore, and Perry. The purpose of the call was to discuss the Scheduling Order and any proposed motions the parties intend to file. Patent Owner filed a list of motions prior to the call. *See* IPR2014-00127, Paper 15; IPR2014-00129, Paper 15; IPR2014-00131, Paper 18. The following is a brief summary of the call.

#### *Scheduling Order*

During the call, neither party requested a modification to the dates set forth in the Scheduling Order.

#### *Motion to Amend*

Patent Owner advised that it has not determined yet whether it will file a motion to amend. As discussed during the call, if Patent Owner determines that it will file a motion to amend, Patent Owner shall arrange a conference call no later than two weeks before the deadline to file the motion to amend to discuss the proposed motion. *See* 37 C.F.R § 42.121(a). The parties are further directed to the guidance provided in Case IPR2012-00027, Paper 26, dated June 11, 2013 (“Idle Free”), Case IPR2013-00423, Paper 27, dated March 7, 2014 (“Toyota Motor Corporation”); and Case IPR2013-00124, Paper 12, dated May 20, 2014 (“Int’l Flavors”).

#### *Motions to Exclude*

Patent Owner indicated that it will file a Motion to Exclude in due course. The parties are reminded that a motion to exclude is available to a party wishing to challenge the admissibility of evidence and to preserve an objection made previously. *See Office Patent Trial Practice Guide*, 77 Fed. Reg. 48756, 48767 (Aug. 14, 2012). A party following these guidelines may file a motion to exclude

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without prior authorization from the Board. The rule specifies as much and explains that a motion to exclude must identify the objections in the record and must explain the objections. 37 C.F.R. § 42.64(c). Therefore, no authorization at this time is required.

Furthermore, the parties are not authorized to file further notices of objections. Per the guidance provided during the call, unless already in the record, the served objections relevant to a motion to exclude are filed as exhibits to that motion.

#### *Motion for Pro Hac Vice Admission*

Patent Owner indicated that it seeks authorization to file a motion for *pro hac vice* admission. Authorization for such a motion was provided in the Notice of Filing Accorded. *See* IPR2014-00127, Paper 6; IPR2014-00129, Paper 5; IPR2014-00131, Paper 5. The Notice also states that such a motion shall be filed in accordance with the “Order — Authorizing Motion for Pro Hac Vice Admission” in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site under “Representative Orders, Decisions, and Notices.”

#### *Settlement*

There was no report of settlement.

#### *Order*

It is

ORDERED that no motions are authorized at this time.

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