

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QSC AUDIO PRODUCTS, INC.,
Petitioner,

v.

CREST AUDIO, INC.,
Patent Owner.

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

Before GLENN J. PERRY and MIRIAM L. QUINN, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

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

¹ 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.

Case IPR2014-00127 (Patent 6,023,153)

Case IPR2014-00129 (Patent 5,652,542)

Case IPR2014-00131 (Patent 5,652,544)

On June 19, 2014, we held a conference call between respective counsel for Petitioner and Patent Owner. Counsel for Patent Owner requested the call seeking a ruling on an objection lodged by Petitioner concerning remote streaming of upcoming depositions. Patent Owner, with counsel located in Atlanta, has arranged for remote streaming of the depositions of Petitioner's witnesses, scheduled to take place in Seattle, as a cost-saving measure, with the expectation that only some counsel for Patent Owner would attend or view the depositions remotely. Although one of the attorneys for Patent Owner is traveling from Atlanta to Seattle to conduct the cross-examinations, Petitioner objected to the arrangement because of a concern that live streaming would be disruptive and that other attorneys or experts assisting Patent Owner's counsel would be involved in asking questions.

We overruled Petitioner's objection. And we ordered each party to exchange with each other, 24 hours before the start time of the deposition, a list of all attendees. Based on the representations made during the conference call, we held that live streaming of the depositions is not prejudicial to Petitioner and is an accommodation to Patent Owner. We also held that only counsel actually present at the depositions are permitted to ask questions of the deponents.

If an objection arises regarding the identification of Patent Owner's remote attendees, we instructed the parties to work out a compromise. We also instructed the parties to work out their future differences by attempting to reach a compromise and agreement before contacting the Board for judicial resolution.

Case IPR2014-00127 (Patent 6,023,153)

Case IPR2014-00129 (Patent 5,652,542)

Case IPR2014-00131 (Patent 5,652,544)

Order

It is

ORDERED that Petitioner's objection to live streaming of the depositions of its witnesses is *overruled*;

FURTHER ORDERED that only counsel actually present at the depositions are permitted to ask questions of the deponents;

FURTHER ORDERED that the parties shall exchange with each other a list of the attendees to the deposition, 24 hours before the scheduled deposition; and

FURTHER ORDERED that any objections arising out of the exchange are to be discussed fully between the parties in an attempt to reach a compromise or agreement before attempting to contact the Board for resolution.

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