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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION
HONORABLE GEORGE H. WU, U.S. DISTRICT JUDGE

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

vs.

Case No. CV 19-2192-GW
CV 20-1252-GW

TCT MOBILE, INC., et al

Defendants.

REPORTER'S TRANSCRIPT OF
MARKMAN HEARING
THURSDAY, OCTOBER 15, 2020
8:30 A.M.
LOS ANGELES, CALIFORNIA

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1 **LOS ANGELES, CALIFORNIA; THURSDAY, OCTOBER 15, 2020**

2 **8:30 A.M.**

3 **--oOo--**

4
5 THE COURT: Let me call the matter of *Ancora*
6 *Technologies* -- let me just ask the court reporter, do you want
7 to take a short break?

8 Let me take a five-minute break.

9 (Recess.)

10 THE COURT: All right. Let me call the matter of
11 *Ancora Technologies versus TCT Mobile*.

12 For the, plaintiff we have?

13 MR. LORELLI: Marc Lorelli on behalf of plaintiff.

14 THE COURT: All right. And for the defense?

15 MR. SCHNURER: John Schnurer and Kyle Canavera on
16 behalf of the defendants.

17 THE COURT: All right. We are here for a Markman
18 construction hearing.

19 I issued a tentative on this, I presume both sides have
20 seen it?

21 MR. LORELLI: Yes.

22 THE COURT: You need to identify yourself when you
23 speak. Who is speaking?

24 MR. LORELLI: Marc Lorelli from plaintiff.

25 THE COURT: For the defense?

1 MR. SCHNURER: John Schnurer for defendant, and yes,
2 we read it as well.

3 THE COURT: Does somebody want to argue something?

4 MR. SCHNURER: John Schnurer on behalf of the
5 defendants, yes, we would.

6 We would like to address the Court's tentative
7 constructions for the claim license record, memory of a BIOS,
8 and the language of Claim 8.

9 And I will address license record, while my colleague,
10 Kyle Canavera, will address memory of the BIOS and Claim 8.

11 THE COURT: All right. Let me indicate to both
12 counsel, you kind of sound muffled. Are you using a land line
13 or are you using some sort of cell phone type of thing?

14 MR. SCHNURER: This is John Schnurer for defendants.
15 I'm using a land line.

16 THE COURT: Well, maybe it's your voice.

17 MR. SCHNURER: Okay. Is it any better?

18 THE COURT: A little bit better.

19 MR. SCHNURER: I'm really close to my phone.

20 So, I will address license record, if I may proceed, Your
21 Honor?

22 THE COURT: Wait just a second. Let me just ask the
23 parties, when you refer to something in the tentative, give me
24 the page number, because that will make it easy for me.

25 MR. SCHNURER: Correct, Your Honor, and license

1 record is on page 9 through page 12 of the tentative.

2 THE COURT: All right. Go ahead.

3 MR. SCHNURER: Thank you, Your Honor.

4 So when we looked at the tentative, we realized perhaps we
5 did not do a good job explaining our concern with Ancora's
6 proposed construction which appears the Court barred mostly as
7 its tentative.

8 What is fundamental here in this claim -- with this
9 tentative, it actually reads out the scope of the claim and the
10 purpose of the invention, because I want to focus on license
11 record.

12 It's not devoid of the context in which it appears in the
13 claim.

14 If you look at Claim 1, the license record of Claim 1 is
15 that record that is stored in the erasable nonvolatile memory.

16 The patent makes the distinction between the license
17 record and the erasable nonvolatile memory to the license
18 record associated with the program in volatile memory. That is
19 the whole point of this invention.

20 The whole point of this invention is so that when a user
21 wants to use a program, and that is put into volatile memory
22 during operation, for example, Microsoft Word, that the license
23 record information associated with the program in volatile
24 memory is extracted and a license record is formed, and that
25 information is then compared through a verification process to

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