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2 UNITED STATES PATENT AND TRADEMARK OFFICE
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 - - - - -x
5 SAP AMERICA, INC., ET AL,

6
7 Petitioner,

8
9 -against-

10
11 Patent of VERSATA DEVELOPMENT GROUP, INC.,

12
13 Patent Owner.

14 Case CBM2012-00001

15 Patent 6,553,350

16 - - - - -x
17 February 26, 2013

18 2:00 p.m.

19 T E L E C O N F E R E N C E
20 H E A R I N G

21 B E F O R E:

22 MICHAEL TIERNEY,
Administrative Patent Judge

23 SALLY MEDLEY,
Administrative Patent Judge

24 RAMA ELLURU,
Administrative Patent Judge

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VERSATA EXHIBIT 2071
SAP v. VERSATA
CASE CBM2012-00001

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1 Proceeding

2 HON. TIERNEY: Is everybody on
3 the line, starting with patent owner?

4 MR. ZOLTICK: Yes, good
5 afternoon, Your Honor. Marty Zoltick
6 and Danny Huntington, Brian Rosenbloom
7 and lead counsel Nancy Linck on the
8 line.

9 HON. TIERNEY: Welcome to the
10 call.

11 MR. ZOLTICK: Thank you.

12 Hon. TIERNEY: Petitioner, who
13 do we have today?

14 MS. ARNER: Hi, Judge. This is
15 Erika Arner for petitioner SAP. Also
16 on the line is backup counsel, Steve
17 Baughman and Joe Palys and Michael
18 Young.

19 HON. TIERNEY: And I believe we
20 have a court reporter today?

21 THE COURT REPORTER: Yes, good
22 afternoon. Lisa Sansone.

23 HON. TIERNEY: I assume you are
24 ready to begin?

25 THE COURT REPORTER: Yes.

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2 HON TIERNEY: All right. Thank
3 you. I saw we had a few issues came
4 up today. The e-mail received has
5 three issues identified. Starting
6 with issue one, it appears the parties
7 are in disagreement about the
8 cross-examination. Since it is
9 identifying SAP's position first, we
10 will start with SAP. Please give me
11 at least a little bit of background on
12 this issue.

13 MR. BAUGHMAN: Your Honor, it is
14 Steve Baughman from Ropes & Gray. If
15 I could address that issue?

16 HON. TIERNEY: Yes, please.

17 MR. BAUGHMAN: The Board's order
18 on February 21st, that is paper 45
19 clarified that the 102 instituted
20 grounds had been withdrawn from the
21 trial, and what we are looking to do
22 with this issue is to confirm before
23 Friday's deposition that this
24 indicates that the proper scope for
25 cross-examination of our expert,

Proceeding

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2 Dr. Siegel will be limited to Section
3 101. And basically we are trying to
4 clarify before we are actually before
5 a court reporter in the process of a
6 deposition whether there's a dispute
7 that the Board may be able to resolve
8 to avoid us having to break and
9 disrupt the Board during the day on
10 Friday.

11 Our understanding from looking
12 at Versata's stated position for
13 today's call is that they are
14 characterizing our argument as being
15 that the subject matter claimed in the
16 claims as a whole is nothing more than
17 routine and conventional. Our
18 position actually is that for 101
19 purposes that beyond the abstract
20 ideas such as organizing the data in
21 the hierarchies, organizing and
22 pricing data into groups, the claims
23 are adding nothing more than what it
24 is routine and conventional, and we
25 believe that is what is in

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