

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CRS ADVANCED TECHNOLOGIES, INC.

Petitioner

v.

Patent of FRONTLINE TECHNOLOGIES, INC.

Patent Owner

Case CBM2012-00005

Patent 6,675,151

TRANSCRIPT OF TELECONFERENCE PROCEEDING HELD
FEBRUARY, 21, 2013

February 21, 2013

Page 1

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Case CBM2012-00005
Patent 6,675,151

CRS ADVANCED TECHNOLOGIES,
INC.,
Petitioner,

vs.

FRONTLINE TECHNOLOGIES,
INC.,

Patent Owner.

TRANSCRIPT OF PROCEEDINGS
(VIA TELECONFERENCE)

DATE TAKEN: FEBRUARY 21, 2013

TIME: 1:00 P.M. - 1:14 P.M.

BEFORE: HONORABLE SALLY C. MEDLEY
HONORABLE JENNIFER S. BISK
ADMINISTRATIVE PATENT JUDGES

This cause came on to be heard at the time and
place aforesaid, when and where the following
proceedings were reported by:

Joan L. Pitt
Registered Merit Reporter
Certified Realtime Reporter

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1 THEREUPON, the following proceedings were had
2 and taken at 1:00 p.m.:

3 JUDGE MEDLEY: Good afternoon. This is Judge
4 Medley. I also have with me Judge Bisk. Could I
5 get a roll call, please?

6 MR. DONOHUE: On behalf of patent owners, Your
7 Honor, John Donohue, John McGlynn, and Scott Tewes.

8 MR. YOCHES: And on behalf of the requester,
9 it's Robert Yoches, Darrel Karl and Aaron Capron.

10 MR. DONOHUE: Your Honor, this is John Donohue
11 again. We also have a court reporter, Ms. Joan
12 Pitt, who's with Golkow, Inc., and she is also on
13 the line, and in relation to a conversation that one
14 of our paralegals had with Mr. Kellogg, she is also
15 preparing a backup audiotape in addition to a
16 transcript.

17 JUDGE MEDLEY: That's fine. That's great.

18 Okay. Well, as you recall, this is a sort of a
19 follow-up conference call for CBM2012-0005 to
20 discuss a possible motion to amend that the patent
21 owner may file, but before we get started on that, I
22 just wanted to follow up on the motion to stay and
23 the related District Court case. Has anything
24 become of that?

25 MR. DONOHUE: Yes, Your Honor. John Donohue

1 again. We filed our response indicating that we
2 were not opposed to the stay, and within a few days
3 Judge Robreno stayed the case and placed it in
4 suspense. So the present status of the case in the
5 Eastern District of Pennsylvania is that it is
6 suspended.

7 JUDGE MEDLEY: Okay. Thank you very much.
8 Okay. So really this is directed to the patent
9 owner. Mr. Donohue, if you'd like to discuss if you
10 have taken into account or considered whether your
11 client would like to file a motion to amend.

12 MR. DONOHUE: Yes, Your Honor. When it comes
13 to the contingent motion to amend, the item
14 that appears paramount to us is one of
15 efficiency. The -- although we -- under the current
16 case law we do not see a need to amend the claims.
17 The CLS Bank case, which has been briefed, argued in
18 the Federal Circuit, and we are now awaiting a
19 decision, could significantly change how claims are
20 analyzed in order to determine whether there is
21 patentable subject matter, which, of course, is the
22 only issue that we're focused on in this post-grant
23 review proceeding.

24 The issue that becomes, okay, is there a way in
25 which to take that case into account and move to

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