

1 UNITED STATES PATENT AND TRADEMARK OFFICE

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3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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5 APPLE, INC.,

6 Petitioner,

7 v.

8 PATENT MUNCH SIGHTSOUND TECHNOLOGIES, LLC,

9 Patent Owner.

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12 CASE CBM2013-00020 and 23

13 Monday, May 5, 2014

14

15 10:59 a.m. to 11:16 a.m.

16 BEFORE THE HONORABLE JUSTIN T. ARBES AND THE

17 HONORABLE MICHAEL P. TIERNEY

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1                   A P P E A R A N C E S

2                   (As introduced on teleconference)

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4    On behalf of the Patent Owner, SightSound  
5    Technologies, LLC:

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13   On Behalf of the Petitioner, Apple, Inc.:

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1 P R O C E E D I N G S

2 MR. BAUGHMAN: Good morning, Steve  
3 Baughman and Ching-Lee Fukuda for Petitioner.

4 MR. MARSH: Good morning. David Marsh and  
5 William Louden for Patentee.

6 THE COURT REPORTER: Good morning, this is  
7 the court reporter. My name is Sharon James. Could  
8 you please state your names again?

9 MR. MARSH: David Marsh and William Louden  
10 for Patentee.

11 MR. BAUGHMAN: Steve Baughman and  
12 Ching-Lee Fukuda for Petitioner.

13 THE COURT REPORTER: Thank you.

14 JUDGE ARBES: Hello, everyone. This is  
15 Judge Arbes for the Patent Trial and Appeal Board.  
16 This is a conference call in the case of CBM2013  
17 00020 and 23.

18 Is Counsel for the Petitioner on the line?

19 MR. BAUGHMAN: Yes, your Honor. Steve  
20 Baughman and Ching-Lee Fukuda for Petitioner.

21 JUDGE ARBES: And Counsel for the patent  
22 owner?

1 MR. MARSH: Yes, your Honor. David Marsh  
2 and William Louden for the Patentee.

3 JUDGE ARBES: Okay. My understanding is  
4 we have a court reporter today?

5 MR. BAUGHMAN: That's correct, your Honor.

6 JUDGE ARBES: Thank you. Counsel, if you  
7 are kind enough, can you file a copy of the  
8 transcript and exhibits whenever it's available?

9 MR. MARSH: Yes, your Honor.

10 JUDGE ARBES: Okay.

11 MR. BAUGHMAN: The conference call was  
12 requested by the parties today to discuss issues  
13 with demonstrative exhibits to be used at the  
14 hearing tomorrow. So, we received an E-mail before  
15 the call with a number of slides that the parties  
16 object to so we can discuss, we can discuss those a  
17 bit with the parties.

18 A couple of notes before we do. One, just  
19 that demonstrative exhibits are merely visual aids  
20 to assist the party's presentation. The Board has  
21 found it helpful in some cases to have  
22 demonstratives, for instance, showing figures or

1 annotated figures to aid in the party's explanation  
2 during the hearing. Something to keep in mind is  
3 that demonstrative exhibits are just visual aids.  
4 They are not evidence. And, so, I think this is, in  
5 the normal case, something that the parties should  
6 be able to agree on and should not have a large  
7 number of objections for demonstrative exhibits  
8 given the fact that they are merely visual aids.

9           So, with that said, the panel does not  
10 intend to spend too much time on demonstrative  
11 exhibits before we reach the merits at this hearing.  
12 So, what we would ask the parties to do is to -- we  
13 can go through maybe one example from each party,  
14 ask the party why it objects to the slide and then  
15 hear from, hear from the other side.

16           So, we understand that patent owner  
17 objects to five slides of the petitioner and that  
18 the petitioner objects to three of the patent  
19 owner's slides. So, why don't we start with the  
20 petitioner's slides and patent owner. Can you  
21 please point to what you believe is the best example  
22 of the slides at issue and explain the basis for

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