

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

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APPLE INC., Petitioner,

v.

SMARTFLASH LLC, Patent Owner.

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CBM2015-00028 (Patent 7,334,720 B2)  
CBM2015-00029 (Patent 7,334,720 B2)  
CBM2015-00031 (Patent 8,336,772 B2)  
CBM2015-00032 (Patent 8,336,772 B2)  
CBM2015-00033 (Patent 8,336,772 B2)1

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INITIAL TALK CONFERENCE CALL  
June 29, 2015  
2:02 p.m.

Before JENNIFER S. BISK, RAMA G. ELLURU,  
JEREMY PLENZLER, and MATTHEW R. CLEMENTS,  
Administrative Patent Judges.

ELLURU, Administrative Patent Judge

Reported By:  
ERICA RUGGIERI, RPR, CSR, CLR  
Job No: 39714

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1 MR. BAUGHMAN: Steve Baughman  
2 from Ropes & Gray joining.

3 MR. CASEY: Hey, Steve, it's  
4 Michael. The court reporter is here  
5 too. I didn't hear anything about  
6 Google joining so I assume they are  
7 not.

8 JUDGE ELLURU: Hello, this is  
9 Judge Elluru. I have with me Judges  
10 Bisk, Clements and Plenzler. This is  
11 the initial talk conference for  
12 CBM2015-00028, 29, 31, 32 and 33.

13 Who do we have for petitioner?

14 MR. BAUGHMAN: Your Honor, Steve  
15 Baughman from Ropes & Gray for  
16 petitioner.

17 JUDGE ELLURU: Mr. Baughman, do  
18 you expect anyone else today?

19 MR. BAUGHMAN: No, Your Honor.  
20 Thank you.

21 JUDGE ELLURU:: Do you have a  
22 court reporter on the line?

23 MR. BAUGHMAN: Petitioner does  
24 not, Your Honor.

25 JUDGE ELLURU:: Who do we have

1 for patent owner?

2 MR. CASEY: Michael Casey from  
3 Davidson Berquist Jackson & Gowdey and  
4 we do have a court reporter on the  
5 line, Your Honor.

6 JUDGE ELLURU: Thank you. We do  
7 ask that the patent owner file the  
8 transfer of today's teleconference as  
9 an exhibit in the record for each of  
10 these cases.

11 MR. CASEY: Your Honor, we had  
12 this discussion once before. With  
13 your permission I think it's supposed  
14 to be filed as just a notice paper  
15 because it's not truly patent owner's  
16 exhibit, but I will take direction  
17 from you however you wish.

18 JUDGE ELLURU: That's fine. The  
19 way you've been doing it is fine.

20 MR. CASEY: Your Honor, if I  
21 could have, again, permission to file  
22 the same transcript with the comment  
23 header, I know it's not normally done  
24 but it's not an exhibit by patent  
25 owner. It's been fairly effective in

1 other cases.

2 JUDGE ELLURU: That's fine too.  
3 So we received a proposed, a list of  
4 proposed motions by each party. Could  
5 we start with the petitioner first,  
6 please.

7 MR. BAUGHMAN: Yes, thanks, Your  
8 Honor. The first is simply a note  
9 that we make pro hac vice admission  
10 motions but understanding that it's  
11 already been authorized.

12 The second is a request to  
13 expedite the schedule in this group of  
14 trials to permit synchronization with  
15 final argument in the CPM2015, 15  
16 through 18 proceedings, which is set  
17 for November 9th. We have a proposal  
18 to essentially move forward our due  
19 date to the time for petitioner to  
20 reply forward by roughly a month in  
21 order to shorten our time and make it  
22 possible, we think, to synchronize  
23 that final hearing date. We have  
24 different ways of approaching that,  
25 depending on whether patent owner

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