trials@uspto.gov

CBM2015-00015, Paper No. 52

CBM2015-00016, Paper No. 53

CBM2015-00017, Paper No. 44

CBM2014-00192, Paper No. 43

CBM2014-00193, Paper No. 43

CBM2014-00194, Paper No. 47

CBM2014-00199, Paper No. 47

CBM2015-00018, Paper No. 40

571-272-7822

December 10, 2015

### RECORD OF ORAL HEARING

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

SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG ELECTRONICS CO., LTD., and APPLE INC.,
Petitioners,

v.

### SMARTFLASH LLC.

Patent Owner.

Case Nos. CBM2014-00192, CBM2015-00016

(Patent Number 8,033,458)

CBM2014-00193, CBM2015-00017

(Patent Number 8,061,598)

CBM2014-00194, CBM2014-00199, CBM2015-00015

(Patent Number 8,118,221)

CBM2015-00018, (Patent Number 7,942,317)

Oral Hearing Held on Monday, November 9, 2015



Before: JENNIFER S. BISK; RAMA G. ELLURU; JEREMY M. PLENZLER (via video link); and MATTHEW R. CLEMENTS (via video link), Administrative Patent Judges.

The above-entitled matter came on for hearing on Monday, November 9, 2015, at 10:03 a.m., in Hearing Room A, taken at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.



### **APPEARANCES:**

### ON BEHALF OF THE PETITIONER SAMSUNG:

W. KARL RENNER, ESQ. TOM ROZYLOWICZ, ESQ. ANDREW PATRICK, ESQ. YAO WANG, ESQ. Fish & Richardson P.C. 1425 K Street, N.W., 11th Floor Washington, D.C. 20005 202-783-5070

Julie Han, Samsung Representative

### ON BEHALF OF THE PETITIONER APPLE:

J. STEVEN BAUGHMAN, ESQ. MEGAN F. RAYMOND, ESQ. Ropes & Gray LLP 2099 Pennsylvania Avenue, N.W. Washington, D.C. 20006-6807 202-508-4600



### APPEARANCES (Continued)

JAMES R. BATCHELDER, ESQ. Ropes & Gray LLP 1900 University Avenue Sixth Floor East Palo Alto, California 94303-2284 650-617-4000

CHING-LEE FUKUDA, ESQ. Ropes & Gray LLP 1211 Avenue of the Americas New York, New York 10036-8704 212-596-9000

Cyndi Wheeler, Apple Representative

### ON BEHALF OF THE PATENT OWNER:

MICHAEL R. CASEY, ESQ.
GREG KRAUSS, ESQ.
Davidson Berquist Jackson & Gowdey LLP
8300 Greensboro Drive
Suite 500
McLean, Virginia 22102
571-765-7200



Case Nos. CBM2014-00192, CBM2015-00016 (Patent Number 8,033,458); CBM2014-00193, CBM2015-00017 (Patent Number 8,061,598); CBM2014-00194, CBM2014-00199, CBM2015-00015 (Patent Number 8,118,221); and CBM2015-00018, (Patent Number 7,942,317)

1	PROCEEDINGS
2	(10:03 a.m.)
3	JUDGE ELLURU: Please be seated. Good
4	morning. We are here for the final hearing in
5	CBM2015-0015, CBM2015-0016, CBM2015-0017 and
6	CBM2015-0018, Apple Inc. versus Smartflash LLC.
7	This is also the final hearing for CBM2014-00192,
8	with which CBM2015-00119 has been consolidated;
9	CBM2014-00193, with which CBM2015-00120 has been
10	consolidated; CBM2014-00194, with which CBM2015-00117
11	has been consolidated; and CBM2014-00199, Samsung
12	Electronics America, Inc., Samsung Electronics Company,
13	Limited, and Apple, Inc. v. Smartflash.
14	I'm Judge Elluru. To my right is Judge Bisk. And
15	appearing remotely from San Jose is Judge Clements and from
16	Detroit is Judge Plenzler.
17	Let's begin with appearances from counsel,
18	starting with Petitioner Apple.
19	MR. BAUGHMAN: Your Honor, Steve Baughman.
20	With me is my colleague, Jim Batchelder, Ching-Lee Fukuda
21	and Megan Raymond for Apple. And we have with us a
22	representative of apple, Cyndi Wheeler.
23	JUDGE ELLURU: Thank you. And for
24	Smartflash?



# DOCKET

## Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

### **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

### **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

### **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

