RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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XILINX, INC.
Petitioner

v.

INTELLECTUAL VENTURES I LLC
Patent Owner

_____

Case IPR2013-00029
Patent 5,632,545

_____

Oral Hearing Held December 9, 2013

Before SALLY C. MEDLEY, KARL D. EASTHOM, and JUSTIN T. ARBES,
Administrative Patent Judges.

APPEARANCES:

ON BEHALF OF THE PETITIONER:
        DAVID L. McCOMBS
        THOMAS B. KING
        Haynes and Boone, LLP

ON BEHALF OF THE PATENT OWNER:
        GEORGE E. QUILLIN
        Foley & Lardner, LLP

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

 2              JUDGE MEDLEY: Good morning.  This is the hearing

 3    for IPR2013-00029 between Petitioner Xilinx and Patent Owner

 4    Intellectual Ventures.

 5              At this time, we would like the parties to please

 6    introduce themselves starting with the Petitioner.

 7              MR. MCCOMBS: Good morning, Your Honors.  I'm

 8    David McCombs, from Haynes and Boone on behalf of Petitioner

 9    Xilinx, and with me is Thomas King, also with Xilinx.  And

10    Tom will be giving the presentation today.

11              JUDGE MEDLEY: Okay.

12              MR. QUILLIN:  George Quillin, Your Honor, for

13    Foley and Lardner on behalf of the patent owners,

14    Intellectual Ventures.

15              With me at the table is my partner, Paul Hunter,

16    and behind me are representatives, in-house counsel from

17    Intellectual Ventures, Ms. Jeanne Suchodolski and Mr. Don

18    Coulman.

19              JUDGE MEDLEY: Okay.  Thank you.

20              Per the hearing order, each party has 60 minutes

21    total time.  Petitioner, you'll begin with your presentation

22    of your case and then you reserve rebuttal.  And then, with

23    respect to your challenged claims, on which the basis for
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1   which you institute a challenge, and then the Patent Owner,

2   you'll respond to Petitioner's case, and you'll also present

3   your case on your motion to amend.

4   And then Petitioner, you can take the rest of

5   your time to respond to Patent Owner's presentation on all

6   issues. And then, lastly, Patent Owner, you just have

7   rebuttal time with respect to your motion to amend. Okay?

8   Petitioner, you may begin.

9   How much time would you like to reserve for

10   rebuttal?

11   MR. KING: I would like to reserve 20 minutes for

12   rebuttal.

13   JUDGE MEDLEY: Okay. You have 40 minutes right

14   now. My clock says 9:43. Okay.

15   (Whereupon, there was a pause in the

16   proceedings.)

17   MR. KING: May I begin?

18   JUDGE MEDLEY: Yes.

19   MR. KING: Good morning.

20   As Mr. McCombs said, my name is Tom King, from

21   Haynes and Boone, and I will be presenting Petitioner

22   Xilinx's in argument today on behalf of -- on why the Board

23   should find that the claims of the '545 Patent are obvious.

24   Just as an overview of what the topics I will be

1   covering today, I want to go through it quick.

2   It's a little bit out of order here, but I do

3   want to go through a quick technical orientation on what this

4   -- what the claim at issue is and what the main prior art

5   reference and the last prior art reference teaches.

6   Then I want to address obviousness under the

7   Board's constructions.

8   We believe under the constructions the Board

9   adopted in its decision to institute, that there are only two

10 remaining issues that IV has raised that need to be decided.

11 One is whether the Flasck reference runs at video speeds and

12 the other is whether the Flasck reference teaches a video

13 controller.

14   After that, I want to go to obviousness in view

15 of Takanashi. And then, if time remains, I'll return to why

16 the -- why the '545 patent claims are obvious, even if the

17 Board were to adopt IV's constructions.

18   So that's the -- in general, that's the order

19 we'll go in today. I'm happy to answer whatever questions

20 the Board has on other topics, but this is what I expect to

21 do.

22   We have here on the form board, and I'll put it

23 up on video, on the Elmo as well, a demonstrative that shows

24 the claims of the '545 patent and how they map up to the

1   Flasck reference.

2   The Flasck reference -- sorry, the claims of the

3   '545 patent teach a number of components that are arranged to

4   allow light beams to create a projected image, much like the

5   projected image that we see here on the Elmo.

6   It starts with three individual light sources.

7   And those light sources create or pass through a lens system,

8   and then they're passed through color filters to create what

9   are typically red, green and blue light beams. These light

10   beams then pass through a set of light-shutter matrices which

11   encode the red, the green and the blue channels onto those

12   light beams. So the red portion of the image we see here

13   would go through one light-shutter matrix. The blue portion

14   and the green portion would each have their own separate

15   light-shutter matrix.

16   Then there is an optical combination system that

17   combines the various channels together to create an image --

18   to create a light beam that is encoded and ready to be

19   projected onto a display.

20   This was not a new system when the '545 patent

21   was filed. In fact, the record shows a numbers of systems

22   that took -- that divided light beams into -- or that took

23   multiple light beams, shined them, created and made

24   monochrome-colored light beams, shined them through LCDs or

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