RECORD OF ORAL HEARING

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

SIPNET EU S.R.O.
Petitioner

vs.

STRAIGHT PATH IP GROUP, INC.
Patent Owner
- - - - - -
Case IPR 2013-00246
Patent 6,108,704
- - - - - -

Oral Hearing Held: July 11, 2014

Before: KALYAN K. DESHPANDE, THOMAS L. GIANNETTI,
and TRENTON A. WARD, *Administrative Patent Judges*.

    The above-entitled matter came on for hearing on
Friday, July 11, 2014 at the U.S. Patent and Trademark
Office, 600 Dulany Street, Alexandria, Virginia at 1:00 p.m.,
in Hearing Room B.

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1   APPEARANCES:

2   ON BEHALF OF THE PETITIONERS:

3   SANJAY PRASAD, ESQ.
4   Prasad IP
5   1768 Miramonte Avenue, #4845
6   Mountain View, CA 94040
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10   PAVEL POGODIN, ESQ.

11   TransPacific Law Group
12   7140 Crest Hill Drive
13   Reno, Nevada 78506
14

15   ON BEHALF OF THE PATENT OWNER:

16   ALAN M. FISCH, ESQ.
17   ALICIA MEROS CARNEY, ESQ.
18   Fisch Sigler LLP
19   5335 Wisconsin Avenue, N.W., Eighth Floor
20   Washington, D.C. 20015
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 1                   P R O C E E D I N G S

 2                                     (1:00 p.m.)

 3          JUDGE GIANNETTI:  You may be seated, please.

 4          Good afternoon.  We are here for the final hearing

 5   in Sipnet EU versus Straight Path IP Group, which is case

 6   IPR2013-00246 involving patent 6,108,704.

 7          Counsel for the Petitioner, may I have your

 8   appearances, please.

 9          MR. POGODIN:  Good afternoon, Your Honor.  This is

10   Pavel Pogodin on behalf of the Petitioner from TransPacific

11   Law Group.

12          MR. PRASAD:  Sanjay Prasad on behalf of Petitioner

13   Sipnet also.

14          JUDGE GIANNETTI:  Okay, welcome.  And who is

15   appearing on behalf of Patent Owner?

16          MR. FISCH:  Good afternoon, Your Honor.  Alan

17   Fisch and my colleague, Alicia Meros Carney.

18          JUDGE GIANNETTI:  Okay.  Thank you very much.

19          MR. FISCH:  Thank you, sir.

20          JUDGE GIANNETTI:  And welcome.

21          Okay.  So each side will have an hour to present

22   their argument.  Petitioner will start.  And we have --

23   Petitioner may -- we don't have a motion to amend, so

24   Petitioner may reserve time for rebuttal.  You can do that

25   either now or at the end of your presentation.  But there
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1   will be no rebuttal from the Patent Owner.

2   All right. Who is presenting the argument for the

3   Petitioner?

4   MR. PRASAD: That will be me, Your Honor.

5   JUDGE GIANNETTI: Okay. I will use the timer

6   here, so the red light should go on when your time is up. I

7   will try to give you a warning about five minutes before the

8   end of your time.

9   MR. PRASAD: Okay. I would like to reserve 15

10   minutes for rebuttal.

11   JUDGE GIANNETTI: All right. So, Mr. Prasad, you

12   may proceed when you are ready.

13   MR. POGODIN: Excuse me, Your Honor. We have a

14   printed copy of the presentation. May I approach to provide

15   it?

16   JUDGE GIANNETTI: That's fine. You can hand those

17   up.

18   MR. POGODIN: Thank you.

19   JUDGE GIANNETTI: Thank you very much.

20   All right, Mr. Prasad, you may proceed.

21   MR. PRASAD: Thank you, Your Honor.

22   May it please the Board, my name is Sanjay Prasad,

23   and I represent the Petitioner, Sipnet.

24   The Board instituted this proceeding on the basis

25   of Petitioner's arguments and evidence showing anticipation

<center>4</center>

1   of claims 1 to 7 and 32 to 42 in view of WINS and NetBIOS and

2   obviousness of claims 33 to 37 in view of WINS and NetBIOS.

3   Patent Owner filed a motion for rehearing, which

4   was denied. And Patent Owner did not seek to amend the

5   claims or establish an earlier invention date. Consequently,

6   this trial is proceeding on the Board's

7   original grounds for institution.

8   I would like to spend my time allocated on the

9   arguments that have been raised by Patent Owner, and

10   specifically in the context of the evidence that has been

11   adduced during this proceeding.

12   The issues in this trial will be reduced down to

13   the following four points raised by the Patent Owner. The

14   first is a query or determination as to the on-line status of

15   a process as required by the challenged claims. Second is

16   dynamic address allocation. And then the third and fourth

17   points, third is the status of WINS as prior art, and number

18   4 is the status of a third-party Stalker Software as a real

19   party in interest.

20   Before turning to details of WINS and NetBIOS, let

21   me briefly review the disclosure of the '704 patent. I have

22   it on the screen, slide 2. And the thing to note about the

23   '704 patent is that it is not particularly detailed. The

24   entirety of the disclosure relevant to this proceeding is

25   shown in figures 1, 7, and 8 and in the accompanying

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