

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE, INC.,  
Petitioner,

v.

PERSONAL WEB TECHNOLOGIES, LLC,  
LEVEL 3 COMMUNICATIONS, LLC,  
Patent Owners.

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Cases IPR2013-00596  
Patent 7,802,310 B2

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Held: November 17, 2014

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Before KEVIN F. TURNER, JONI Y. CHANG, and MICHAEL R.  
ZECHER, *Administrative Patent Judges*.

The above-entitled matter came on for hearing on Monday, November 17, 2014, commencing at 1:01 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2013-00596  
Patent 7,802,310

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF PATENT OWNER:

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P R O C E E D I N G S

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JUDGE CHANG: Good afternoon. At this time I would like counsel to introduce yourselves and also your colleagues.

MR. JAY: Good afternoon, Your Honors. My name is Michael Jay of Boies, Schiller & Flexner on behalf of Petitioner Apple. Along with me is Salvador Bezos of Sterne Kessler Goldstein & Fox and David Cornwell of the same firm, and behind me here is Cyndi Wheeler of Apple.

1 MR. RHOA: Good afternoon, Your Honors. Joe Rhoa on  
2 behalf of the Patent Owner and with me is Mickey Gill, also on behalf  
3 of Patent Owner.

4 JUDGE CHANG: Welcome. Thank you.  
5 Judge Turner, are you okay there?

6 JUDGE TURNER: I can hear everybody.

7 JUDGE CHANG: Okay. Good. I think your voice is a  
8 little low. I just want to make sure that if you have any questions --

9 JUDGE TURNER: I can always speak up.

10 JUDGE CHANG: Okay. That sounds great. Thank you.

11 JUDGE TURNER: Can you hear me better now?

12 JUDGE CHANG: Yes. Thank you.

13 JUDGE TURNER: I'll try to remember to speak up when  
14 I'm asking my questions.

15 JUDGE CHANG: Okay. This is an oral hearing for the  
16 case IPR2013-00596 involving Patent 7,802,310. The Board  
17 instituted this Inter Partes Review on March 26, 2014 as to the Claims  
18 24, 32, 70, 81, 82 and 86 of the patent.

19 Consistent with the Board's previous order in this case, each  
20 party has one hour to present their arguments. The Petitioner will  
21 proceed first to present its case as to the challenged claims and then  
22 Petitioner may reserve rebuttal time.

23 Since the Patent Owner did not file any motion to amend, it  
24 will respond to the Petitioner's case and you don't have any reserve  
25 time, okay, of the rebuttal time.

1           So is there any demonstratives and please give a copy to the  
2 court reporter.

3           MR. JAY: Yes, Your Honor. We provided slides last  
4 week. We have given a copy to the court reporter. We also have hard  
5 copies, if that would be helpful for Your Honors.

6           JUDGE CHANG: Sure. That would be great. Thank you.

7           MR. JAY: May I approach?

8           JUDGE CHANG: Yes. Thank you.

9           And just please note that demonstratives are not evidence  
10 themselves. They are merely visual aids and if -- please identify the  
11 specific slide number when doing the presentation so that the court  
12 reporter can capture that and also for Judge Turner, who is sitting  
13 remotely.

14           So at this time -- oh, sure. Go ahead.

15           MR. RHOA: Sorry, Your Honor. I just request permission  
16 to ask counsel for a copy of the demonstratives.

17           JUDGE CHANG: Do you have a copy?

18           MR. JAY: We have another copy that's under the projector.

19           MR. RHOA: If you just want to confirm -- just confirm  
20 orally that it's identical to what you served on us last week or so, that's  
21 fine, too.

22           MR. JAY: Yeah, I believe that we had served slides on you  
23 and then last week when we provided the slides, we switched around  
24 the order of the last two slides, but they didn't change substantively.

1 MR. RHOA: If they're the same, if your representation is  
2 they are the same --

3 MR. JAY: They are the same, absolutely.

4 MR. RHOA: That's fine. Thank you. Sorry.

5 JUDGE CHANG: No problem.

6 Patent Owner, do you have any demonstratives?

7 MR. RHOA: No, Your Honors.

8 JUDGE CHANG: Okay. Thank you. You may proceed.

9 MR. JAY: Good afternoon, Your Honors. I would like to  
10 reserve 30 minutes for rebuttal, if I may. And as far as the slides that I  
11 had handed you, I may not go through every slide that I've included,  
12 but I think some of the slides may still be helpful for some  
13 background information.

14 So starting from slide 2, we're here to talk about today is the  
15 '310 patent, which is part of a large family of patents that Your  
16 Honors have dealt with in other proceedings before. These patents we  
17 can see in the summary of the invention describes that these patents  
18 related to unique data identifiers that are based on the contents of data  
19 in a data item. These identifiers are used throughout the '310 patent  
20 and the other patents in the families for a number of basic file  
21 management functions.

22 Moving on to slide 3, you see that the specification goes on  
23 in the '310 patent, column 31, and just for ease of reference, the  
24 portions that are up on the screen are also denoted in the bottom

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