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IPR2014-01475, Paper No. 64

IPR2014-01477, Paper No. 64

IPR2014-01478, Paper No. 65

571-272-7822

December 31, 2015

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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PETROLEUM GEO-SERVICES INC.,

Petitioner,

v.

WESTERNGECO LLC,

Patent Owner.

Case No. IPR2014-01475 (Patent 7,162,967)

Case No. IPR2014-01477 (Patent 7,080,607)

Case No. IPR2014-01478 (Patent 7,293,520)

Technology Center 3600

Oral Hearing Held on Tuesday, November 10, 2015

BEFORE: BRYAN F. MOORE; SCOTT A. DANIELS (via video link); and BEVERLY M. BUNTING (via video link); Administrative Patent Judges.

The above-entitled matter came on for hearing on Tuesday, November 10, 2015, at 9:00 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:

JESSAMYN S. BERNIKER, ESQ.  
DAVID I. BERL, ESQ.  
DAVID M. KRINSKY, ESQ.  
THOMAS S. FLETCHER, ESQ.  
ALEC T. SWAFFORD, ESQ.  
CHRISTOPHER A. SUAREZ, ESQ.  
SANJIV P. LAUD, ESQ.  
Williams & Connolly LLP  
725 Twelfth Street, N.W.  
Washington, D.C. 20005  
202-434-5000

KEVIN HART, PGSI Representative

ON BEHALF OF THE PATENT OWNER:

MICHAEL L. KIKLIS, ESQ.  
CHRISTOPHER RICCIUTI, ESQ.  
KATHERINE CAPPAERT, ESQ.  
MITCH BLAKELY, ESQ. (In-House Counsel)  
Oblon, McClelland, Maier & Neustadt, LLP  
1940 Duke Street  
Alexandria, Virginia 22314  
703-413-3000

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P R O C E E D I N G S

(9:00 a.m.)

JUDGE B. MOORE: Please be seated. Good morning. I'm Judge Moore. With me today remotely are Judges Daniels and Bunting on the screen there. As I can see, the video is on top of the screen there, so when you address the remote judges, if you want to look them in the eye you can look at that video there.

This is an oral hearing for cases IPR2014-1475, 1477, and 1478.

A few initial remarks: First of all, we appreciate that the parties worked with the Board in the changing of the date of the hearing. We do appreciate that.

As in all hearings, Petitioner bears the burden, so Petitioner will go first. Patent Owner will follow. And the Petitioner may reserve time if they wish after Patent Owner's presentation.

I want to let the parties know that no objections should be made during the other side's presentation. You should hold objections until your portion of the presentation or until your rebuttal.

As far as demonstratives, as we noted in the oral hearing order, this is being recorded as well as we have remote judges so it is very important that you indicate where you are in the record, either by demonstrative number or, if

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1 you are using the ELMO, what page in the record you are at,  
2 and give time so that the remote judges can catch up to you  
3 because they're not going to be able to see what is on the  
4 screen during the presentation.

5 And, okay, with that, Petitioner, could you let us  
6 know who is here?

7 MS. BERNIKER: Certainly. Jessamyn Berniker  
8 from Williams & Connolly on behalf of Petroleum  
9 Geo-Services.

10 With me from Williams & Connolly are David  
11 Berl, Tom Fletcher, David Krinsky, Alec Swafford, Chris  
12 Suarez and Sanjiv Laud. And from Petroleum Geo-Services  
13 we have Kevin Hart.

14 JUDGE B. MOORE: All right. And that points  
15 out another thing that we should be aware of. If you don't use  
16 the microphone the remote judges can't hear you very well.

17 MS. BERNIKER: Thank you, Your Honor.

18 MR. KIKLIS: Michael Kiklis, Your Honor, from  
19 Oblon for WesternGeco, Patent Owner. With me is Chris  
20 Ricciuti, Kate Cappaert, and in-house counsel Mitch Blakely.

21 JUDGE B. MOORE: All right. So unless the  
22 remote judges have something, we are ready to begin.  
23 Hearing nothing --

24 MS. BERNIKER: Your Honor, would you like  
25 another copy of our demonstratives? Would that be helpful?

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1 JUDGE B. MOORE: That would be great. Thank  
2 you.

3 MS. BERNIKER: Certainly.

4 JUDGE DANIELS: I just have one quick question  
5 before you begin. I was reviewing the record from our  
6 previous hearing on the related cases, but I just wanted to  
7 make sure, I think, Petitioner, you started off discussing the  
8 '607 patent and the claim construction there.

9 And I, just for consistency or just to make sure I  
10 know where we are going, we are going to discuss, it looks  
11 like from your slides here, we are going to discuss the '967  
12 patent first?

13 MS. BERNIKER: I had intended to do that  
14 because the '967 patent addresses the global control system  
15 issue, which is then repeated in the '607 patent, but I'm happy  
16 to take the patents in whatever order you prefer.

17 JUDGE DANIELS: No, that's fine. I just wanted  
18 to, it is almost for my own consistency in reviewing the  
19 record in both cases and to let the other judges know that it is  
20 going to be a little different order. Thank you.

21 MS. BERNIKER: Certainly, Your Honor. With  
22 the Board's permission, I would like to reserve about 20  
23 minutes for rebuttal.

24 JUDGE B. MOORE: Sure.

25 MS. BERNIKER: The first set of --

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