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IPR2014-01475, Paper No. 64

IPR2014-01477, Paper No. 64

IPR2014-01478, Paper No. 65

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December 31, 2015

RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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.

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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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