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IPR2015-00196 Paper No. 55
IPR2015-00198 Paper No. 56
IPR2015-00209 Paper No. 53

April 18, 2016

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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LG ELECTRONICS, INC.,

Petitioner,

vs.

STRAIGHT PATH IP GROUP, INC.,

Patent Owner.

- - - - - -

Case IPR2015-00196 (Patent No. 6,131,121 C1)
Case IPR2015-00198 (Patent No. 6,009,469 C1)
Case IPR2015-00209 (Patent No. 6,108,704 C1)

Technology Center 2600

Oral Hearing Held: Tuesday, February 9, 2016

Before: KALYAN K. DESHPANDE; TRENTON A. WARD (via video link); and BART A. GERSTENBLITH, Administrative Patent Judges.

The above-entitled matter came on for hearing on Tuesday, February 9, 2016, at 1:03 p.m., Hearing Room B, taken at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

REPORTED BY: RAYMOND G. BRYNTESON, RMR, CRR, RDR

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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

2   (1:03 p.m.)

3   JUDGE DESHPANDE: You may be seated. Good

4   afternoon, everyone. This afternoon we have oral arguments

5   for IPR2015-00196, 198, 209. LG, Toshiba, Vizio and Hulu

6   versus Straight Path IP Group.

7   IPR2015-1397, 1398, 1400, 1406, 1407, have been

8   joined in joining in Cisco, Avaya and Verizon.

9   I'm Judge Deshpande. On our monitor today is

10   Judge Ward. To my right is Judge Gerstenblith. Since Judge

11   Ward is with us remotely, I want to remind everyone to step in

12   front of the microphone, to speak in front of the microphone.

13   He can't hear you if you are not talking into the microphone.

14   Why don't we have our appearances. Who do we

15   have from Petitioner?

16   MR. RAMANI: Good afternoon, Your Honor.

17   Ashok Ramani from Keker & Van Nest. I'm joined by my

18   colleagues Sharif Jacob and Leo Lam.

19   MR. LAM: Good afternoon.

20   JUDGE DESHPANDE: And for Patent Owner?

21   MR. MEUNIER: Bill Meunier from Mintz Levin,

22   and with me are Michael Newman and Nick Armington.

23   JUDGE DESHPANDE: All right. As we set forth in

24   our trial hearing order, each party will have 60 minutes.

3

1 Petitioner bears the burden of proof so Petitioner will go first.

2 Petitioner may reserve time for rebuttal.

3 After Petitioner has presented their arguments,

4 Patent Owner will have a chance to respond.

5 Does anyone have any questions on procedure for

6 today? Okay. With that, Petitioner, you may begin when you

7 are ready.

8 MR. RAMANI: Thank you, Your Honor. I would

9 like to reserve 10 minutes for rebuttal, if I may.

10 JUDGE DESHPANDE: Okay.

11 MR. RAMANI: And to explain how we're

12 intending to present argument today, I'm going to provide

13 some introductory remarks and then address the import of the

14 Federal Circuit's decision in Sipnet to the proceedings before

15 this Panel.

16 At that point, absent further questions, my

17 colleague, Mr. Jacob, will address any remaining issues that

18 the Board may have.

19 The parties' dispute appears to have crystalized on

20 a single issue. And that issue is application of the Federal

21 Circuit's construction of is connected to the network in the

22 Sipnet matter.

23 Windows NT 3.5 Server and NetBIOS, joined with

24 Pinard, as appropriate, have rendered the instituted claims

25 obvious.

4

1   That was true upon institution, and that remains

2   true now for reasons that I will explain.

3   When Windows NT 3.5 Server, which I will

4   describe as WINS, and NetBIOS, focus on determining

5   whether a process is connected to the network in a specific

6   fashion. Both of those systems are intended and designed and,

7   in fact, do host tens of thousands of processes at a time.

8   And so fundamentally they need to be able to

9   provide the right IP address for a name when one process

10 requests that name to communicate with another process. We

11 see this amply in the record.

12   Just to give you two examples. One is Exhibit

13 1003 at page 67, which is in the WINS manual, where there is

14 an express disclosure about when one, as we term it, process

15 wishes to communicate with another process, it queries the

16 server. Similarly, there is a near identical disclosure in

17 NetBIOS, which is Exhibit 1004 at page 395. There is

18 mention of an express name query function.

19   In that description, there is discussion of

20 resolution, which as I think we will probably get to later

21 today, is actually a complete red-herring that Patent Owner is

22 putting forth, but there is discussion of resolution or -- and the

23 "or" is important -- discovery, which is what we're really

24 talking about here, which is the process by which one process

5

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