

571-272-7822

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY COMPUTER ENTERTAINMENT AMERICA, LLC,
Petitioner,

v.

APLIX IP HOLDINGS CORPORATION,
Patent Owner.

IPR2015-00229 (Patent 7,667,692 B2)
IPR2015-00230 (Patent 7,463,245 B2)
IPR2015-00396 (Patent 7,218,313 B2)
IPR2015-00476 (Patent 7,218,313 B2)
IPR2015-00533 (Patent 7,218,313 B2)

Held: January 19, 2016

BEFORE: SALLY C. MEDLEY, BRYAN F. MOORE, and
JASON J. CHUNG, Administrative Patent Judges.

The above-entitled matter came on for hearing on Tuesday,
January 19, 2016, commencing at 1:02 p.m., at the U.S. Patent
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

IPR2015-00229, Patent 7,667,692B2; IPR2015-00230, Patent 7,463,245 B2;
IPR2015-00396, Patent 7,218,313B2; IPR2015-00476, Patent 7,218,313B2;
IPR2015-00533, Patent 7,218,313B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

ERIC A. BURESH, ESQUIRE
ABRAN KEAN, ESQUIRE
Erise IP, PA
6201 College Boulevard
Suite 300
Overland Park, Kansas 66211

ON BEHALF OF PATENT OWNER:

ROBERT J. GILBERTSON, ESQUIRE
Greene Espel PLLP
222 South Ninth Street
Suite 2200
Minneapolis, Minnesota 55402

and

MICHAEL MAURIEL, ESQUIRE
Mauriel Kapouytian Woods LLP
15 West 26th Street
Seventh Floor
New York, New York 10010

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

P R O C E E D I N G S

- - - - -

JUDGE MOORE: All right. Please be seated.

Sorry. I'm having a little technical difficulties here. It sounds like the fan on my computer is acting up, so hopefully it will calm down in a minute or so or I will figure out if we need to do something about it, but I think it's going to settle itself in a minute here.

Good morning. This is the oral hearing in IPR's 2015-229, -230, -396, -476, and -533. Sony Computer Entertainment America versus Aplex IP Holdings. And please excuse me if I mispronounce that.

The parties in this hearing will have 90 minutes of total time to present their arguments. Petitioner will proceed first with its case. Afterwards the Patent Owner will proceed with its case, and the Petitioner may reserve time for argument after that.

Starting with Petitioner, can you state who you have here.

MR. BURESH: Your Honor, thank you. My name is Eric Buresh. I'm lead counsel on behalf of Sony Computer Entertainment America. With me is Abe Kean, my co-counsel, and a representative from Sony, Mike Edelman.

JUDGE MOORE: Thank you.

1 MR. MAURIEL: Hi. My name is Mike Mauriel.
2 I'm lead counsel for Aplix IP Holdings Corp, and I'm with my
3 co-counsel, Robert Gilbertson.

4 JUDGE MOORE: Thank you.

5 All right. I also want to remind the parties as far as
6 referring to demonstrative exhibits and evidence, especially if
7 you're going to use the -- I'm not sure if we have the ELMO, but
8 if you are going to use the ELMO, please be specific for the
9 record on what page number and what part of the record you're on
10 in your remarks so that the transcript will be clear and easy to
11 follow.

12 MR. BURESH: Your Honor, if you could give us
13 just one moment. We're trying to find the right feed for the slide
14 presentation.

15 JUDGE MOORE: Sure.

16 Off the record.

17 (A discussion was held off the record.)

18 JUDGE MOORE: Back on the record.

19 MR. BURESH: I'm approaching with hard copies.

20 JUDGE CHUNG: Thanks.

21 MR. BURESH: Thank you.

22 JUDGE MOORE: Okay. It looks like you're
23 having a little bit of trouble here.

24 Does it make sense that we start with hard copy?

25 We've got everyone local.

1 MR. BURESH: I am perfectly fine with that, Your
2 Honor.

3 JUDGE MOORE: That might be the best way to
4 go here.

5 MR. BURESH: Absolutely. And my apologies for
6 the delay.

7 JUDGE MOORE: No problem.

8 MR. BURESH: I'm going to cover, just to orient
9 the Board --

10 JUDGE MOORE: And before you start, would you
11 like to reserve time?

12 MR. BURESH: Yes, Your Honor.

13 We are going to cover in our direct portion all of
14 the proceedings. We plan to take about 60 minutes for that and
15 reserve approximately 30 minutes for rebuttal.

16 To orient the Board, I'm going to be discussing the
17 '692 patent proceeding, which is 00229, as well as the '245 patent
18 proceeding. My colleague, Mr. Kean, will cover the three
19 proceedings related to the '313 patent.

20 If I could refer the Board to DX-2, I'm going to
21 begin by discussing at a high level the '692 patent. What I've
22 provided on DX-2 is the abstract of the '692 patent which
23 discusses the basic concepts of that patent. And what we'll see is
24 that the patent in the '692 really recognized the simple idea that
25 the human hand works in opposing function -- in other words, we

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.