UNITED STATES PATENT AND TRADEMARK OFFICE
_____

BEFORE THE PATENT TRIAL AND APPEAL BOARD
_____

LG ELECTRONICS, INC.,
Petitioner,

v.

ATI TECHNOLOGIES ULC,
Patent Owner.
_____

Cases IPR2015-00321
Patent 7,095,945 B1
_____

Held: March 21, 2016
_____

BEFORE: BRIAN J. McNAMARA, RAMA G. ELLURU, and
JAMES B. ARPIN, Administrative Patent Judges.

     The above-entitled matter came on for hearing on Monday,
March 21, 2016, commencing at 1:01 p.m., at the U.S. Patent and
Trademark Office, 600 Dulany Street, Alexandria, Virginia.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

    ROBERT G. PLUTA, ESQUIRE
    AMANDA K. STREFF, ESQUIRE
    Mayer Brown LLP
    71 South Wacker Drive
    Chicago, Illinois 60606-4637

ON BEHALF OF PATENT OWNER:

    MICHAEL B. RAY, ESQUIRE
    LESTIN KENTON, ESQUIRE
    Sterne Kessler Goldstein Fox
    1100 New York Avenue, N.W.
    Washington, D.C. 20005

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

2   -   -   -   -   -

3   JUDGE McNAMARA: Good afternoon, everybody.

4   This is the oral hearing in the case of LG Electronics versus ATI

5   Technologies ULC, IPR2015-00321.

6   Judge Arpin is joining us remotely, so I would remind

7   everyone during their presentations today to -- or their arguments

8   today to please speak into the microphone, so that he can hear

9   you. And if you are using any demonstratives, please make sure

10   that you identify what demonstrative you're referring to.

11   The first question, have the parties all given a copy of

12   their demonstratives to the court reporter?

13   MR. RAY: Yes, Your Honor.

14   MR. PLUTA: Yes, Your Honor.

15   JUDGE McNAMARA: Okay. Great. Thank you.

16   All right. Well, beginning with the Petitioner, could

17   you please introduce yourselves?

18   MR. PLUTA: Good afternoon, Your Honor. Robert

19   Pluta on behalf of LG Electronics. With me is Amanda Streff.

20   JUDGE McNAMARA: Patent Owner?

21   MR. RAY: Yes, Your Honor. Mike Ray for Patent

22   Owner, ATI Technologies. With me today is my colleague

23   Lestin Kenton, backup counsel. And also with me here today is

1   Kevin O'Neil, Managing Director of ATI Technologies and Vice

2   President of Intellectual Property and Licensing of AMD.

3   JUDGE McNAMARA: Okay. Great. Thank you very

4   much. Welcome to the Patent Trial and Appeal Board.

5   We have allocated 30 minutes of argument to each side

6   today. We'll begin with the Petitioner because that's who has the

7   burden of proof. The Patent Owner may then present his

8   opposition, if the Patent Owner is going to present an argument

9   on the motion for observations. That would be the time to do it.

10   And then the Petitioner will have time to do a rebuttal

11   and an opposition to the motion for observations. Patent Owner

12   would be able to rebut the opposition to the motion for

13   observations if, indeed, it is discussed. If not, we'll just dispense

14   with that.

15   Everybody ready to go? All right. Well, then let's

16   begin with the Petitioner.

17   Is there rebuttal you'd like me to reserve for you?

18   MR. PLUTA: 10 minutes, Your Honor.

19   I have two hard copies of the presentation if you'd like

20   them.

21   JUDGE McNAMARA: Sure. You can approach.

22   MR. PLUTA: Good afternoon and may it please the

23   Board, I'm on slide 2. The Board instituted on two grounds

24   directed at Claim 18 of the '945 patent. The issues here are fairly

25   straightforward, and Patent Owner's arguments are based entirely

1   on a narrow reading of the prior art, an attempted redrafting of

2   Claim 18.

3   The first ground is obviousness of Claim 18 by

4   Hatanaka and ground 2 is obviousness of Claim 18 over Hatanaka

5   and O'Connor.

6   Slide 3. Independent Claim 18 recites a method

7   comprising determining a mode. Claim 18 then goes on to recite

8   three modes of operation.

9   Slide 4. ATI disputes only two elements with respect to

10   Claim 18. First, ATI disputes the receiving a multiplexed

11   packetized data stream at a first demultiplexer. Second, ATI

12   contends storing a second program portion of the first program

13   simultaneous to the step of decoding is not shown in any of the

14   prior art.

15   Turning to the first on Claim -- slide 5, what ATI is

16   really doing is attempting to severely narrow Claim 18. ATI

17   argues that Hatanaka does not teach the first demultiplexer

18   because, according to ATI, Hatanaka does not have a first

19   demultiplexer that's used across all three modes of operation.

20   That is not accurate, and the only way ATI can make

21   that argument is to narrow Claim 18 to require that the first

22   demultiplexer perform the selecting a first program from the

23   multiplexed packetized data stream, a step of Claim 18. Claim 18

24   only requires that the first demultiplexer receive the signal.

DOCKET ALARM

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.

WHAT WILL YOU BUILD? | sales@docketalarm.com | 1-866-77-FASTCASE

fastcase®
Smarter legal research.