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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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SONY COMPUTER ENTERTAINMENT AMERICA, LLC,

Petitioner,

vs.

APLIX IP HOLDINGS CORPORATION,

Patent Owner.

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Case IPR2015-00729 (Patent 7,280,097)

Case IPR2015-00730 (Patent 7,932,892)

Technology Center 2600

Oral Hearing Held: Wednesday, March 30, 2016

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

The above-entitled matter came on for hearing on Wednesday,  
March 30, 2016, at 1:00 p.m., Hearing Room A, taken at the U.S. Patent and  
Trademark Office, 600 Dulany Street, Alexandria, Virginia.

REPORTED BY: RAYMOND G. BRYNTESON, RMR,  
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1 P R O C E E D I N G S

2 (1:00 p.m.)

3 JUDGE MOORE: Good morning. I'm Judge  
4 Moore. With me are Judges Medley and Chung.

5 This is an oral hearing for IPR2015-729 and  
6 2015-730. Before my initial comments maybe we can get  
7 appearances starting with Petitioner.

8 MR. KEAN: Good afternoon, Your Honor. My  
9 name is Abe Kean. I represent Petitioner, Sony Computer  
10 Entertainment America today. And with me from my firm,  
11 Erise IP, are Eric Buresh and Callie Pendergrass.

12 JUDGE MOORE: Thank you.

13 MR. MAURIEL: Hi. I'm Michael Mauriel,  
14 representing the Patent Owner, Aplix IP Holdings Corp. And  
15 with me is Jason Bartlett of our firm, Mauriel Kapouytian  
16 Woods, and Mr. Bartlett will be presenting for our side.

17 JUDGE MOORE: Thank you. Okay. For the  
18 hearing today the parties will each have one hour for both  
19 cases. Petitioner has the burden so they will go first. They  
20 may reserve time for rebuttal if they wish. Patent Owner will  
21 go second.

22 A reminder, if you -- something unusual  
23 happened. I see demonstratives here. I'm not sure that the  
24 Board received those.

25 JUDGE MEDLEY: Were they uploaded?

1 MR. KEAN: Yes, I believe both parties filed  
2 their demonstratives last Friday, I believe, Your Honor.

3 JUDGE MOORE: Oh, they are uploaded in the  
4 case. Okay. All right. That will be fine.

5 Since we do have demonstratives, I just remind  
6 you to, for the record, mention the page that you are  
7 describing in the demonstrative before you begin speaking  
8 about a particular demonstrative.

9 Also, if there are objections or you have some  
10 problem with the other side's presentation, hold those  
11 comments until the end of their presentation and then make  
12 those comments during your presentation.

13 Okay. With that, Petitioner, if you are ready to  
14 begin. How long do you think you want to reserve?

15 MR. KEAN: If I may, I would like to reserve 20  
16 minutes for rebuttal, Your Honor. And if I may approach the  
17 Bench before we get started, I was going to hand out hard  
18 copies of our demonstratives.

19 JUDGE MOORE: All right. Thank you.

20 MR. KEAN: All right. Good afternoon. Again,  
21 my name is Abe Kean. I'm with the firm Erise IP and I will  
22 be presenting on behalf of the Petitioner.

23 We're here today to discuss two proceedings.  
24 The first is involving the patent 7,280,097 and the second is  
25 involving patent 7,932,892. And we're going to take up both

1 at the same time. There is a lot of issues that overlap. So  
2 we're going to just step through some of the most important  
3 issues in the two proceedings and those will apply to both of  
4 the proceedings.

5 A little bit of background. Here is the abstract  
6 from the '097 patent. The abstract points out that this  
7 invention as described and claimed is an input accelerator  
8 device. And we have also highlighted here a concept that the  
9 Patent Owner has mentioned several times in the briefing,  
10 this concept of configured to optimize a biomechanical effect  
11 of a human user's opposing thumb and fingers.

12 Now, the Patent Owner has said in the briefing  
13 that this is really the heart of their invention. And that may  
14 be but it is not the heart of the claims. And so that's a  
15 concept that you will only see in three dependent claims.

16 And we just want to emphasize that on the front  
17 end today because as we step through the claims and look at  
18 what the claims require, you will not see that concept in any  
19 of the claims except for claims 5, claim 19 and claim 30.

20 So here is an example. Independent claim 1 calls  
21 out an input accelerator device, and there are three basic  
22 components with this. There is a communications channel,  
23 there is an input assembly, and there is an input controller.  
24 Those are the three basic components.

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