

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 and

GAMELOFT, S.A.,

Petitioners,

vs.

ROTHSCHILD DIGITAL MEDIA INNOVATIONS, LLC,

Patent Owner.

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Case IPR2015-01364

Patent 6,101,534

Technology Center 2400

Oral Hearing Held: Thursday, August 18, 2016

BEFORE: KALYAN K. DESHPANDE; MICHAEL J.  
FITZPATRICK (via video link); and SHEILA F. McSHANE,  
Administrative Patent Judges.

The above-entitled matter came on for hearing on Thursday,  
August 18, 2016, at 1:02 p.m., Hearing Room D, taken at the U.S. Patent  
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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

(1:02 p.m.)

JUDGE McSHANE: Okay. Good afternoon, everyone. This is the final hearing in IPR2015-01364, Sony Computer Entertainment America LLC v. Rothschild Digital Media Innovations, LLC.

I am Judge McShane. Sitting to my right is Judge Deshpande. And on the screen we have Judge Fitzpatrick who is out of our Detroit office.

Can we have appearances, please, Petitioner?

MR. KEAN: Good afternoon, Your Honor. My name is Abran Kean. I'm with the law firm of Erise IP. With me today are my colleagues Eric Buresh and Mark Lang.

JUDGE McSHANE: Will you be arguing today?

MR. KEAN: Yes.

JUDGE McSHANE: Okay. And for Patent Owner?

MR. LANDRY: Thomas Landry with the law firm of Carey Rodriguez Milian Gonya. With me today is my colleague John Carey. I will be arguing for the Respondent Rothschild Digital Media Innovations.

JUDGE McSHANE: Okay. Welcome, everyone. Thank you for coming. We included generally the procedure for today's proceeding in the trial order that was sent out but I will go over a few administrative issues right from the get-go so we're all on the same page.

1           As the trial order indicated, each party is going to  
2 have one hour of time for argument. Petitioner has the right to  
3 reserve some rebuttal time.

4           And if you are using demonstratives -- and we did  
5 get one set of demonstratives in from Petitioner here -- if you  
6 are using demonstratives, for the clarity of the record and also  
7 to help Judge Fitzpatrick, if you would refer to the number,  
8 the page number of the demonstrative, that would be  
9 appreciated.

10           Something else, and if you could remember it, it  
11 would be helpful again for the remote judge, please try to  
12 speak into the microphone. I know it is tough sometimes.  
13 You may get agitated and start moving around. But please try  
14 to use the microphone.

15           I will also try to remind counsel when they are  
16 approaching the end of the time they have allocated for them.  
17 But I will do the best I can to keep track of that.

18           And one last thing. Under no circumstances are  
19 you to interrupt the other party when they are putting on  
20 demonstratives or presenting arguments to present objections.  
21 If you have objections, please wait until the time that you can  
22 respond or rebuttal.

23           If you are the last in the queue and the attorney  
24 before you, for instance, Petitioner was doing a rebuttal, and  
25 you are last in the queue and they presented something you

1 have an objection to, please let us know before we adjourn and  
2 then we can do something about it potentially.

3 So with that, I think that was all of the  
4 administrative things we had, and with that if Petitioner would  
5 proceed.

6 MR. KEAN: Thank you, Your Honor. I have hard  
7 copies of our demonstratives. If I may approach I will hand  
8 them to you.

9 JUDGE McSHANE: Thank you.

10 MR. KEAN: Thank you and good afternoon. And  
11 once again my name is Abe Kean with the firm Erise IP,  
12 presenting today on behalf of the Petitioner, Sony Computer  
13 Entertainment America, and also the joint party Gameloft.

14 Turning to slide DX-2, there are a couple excerpts  
15 here from the '534 patent which is at issue in this case. There  
16 is figure 2 and there is just a couple things I want to point out  
17 and emphasize about figure 2.

18 In the green box there is a local computer and in  
19 the red box there is a server. This is an architecture we are  
20 going to see very often today in the patent, the '534 patent  
21 which is being challenged, and also in the prior art documents.

22 What we have is we have a client and a server  
23 architecture and then there is a communications link between  
24 the two things. And so in figure 2 of the '534 patent up  
25 toward the top right corner, you have that communications link

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