

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VALEO NORTH AMERICA, INC., VALEO S.A.,  
VALEO GMBH, VALEO SCHALTER UND SENSOREN GMBH,  
AND CONNAUGHT ELECTRONICS LTD.,

Petitioner, Case IPR2015-01410

vs. Patent 8,643,724 B2

MAGNA ELECTRONICS, INC.,

Patent Owner.

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Telephonic Hearing

~ Before ~

Hon. J. Arbis

Hon. M. Fitzpatrick

Hon. R. Weinschenk

Thursday, May 26, 2016

REPORTED BY:  
JEANESE JOHNSON  
REF: 16479

VALEO Ex. 1071  
VALEO v. MAGNA  
IPR2015-01410

1 A P P E A R A N C E S:

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2                   9:00 a.m.

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HON. J. ARBIS: Good morning,

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everyone. This is Judge Arbis with the

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Patent Trial and Appeal Board. I have

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with me on the line Judge Fitzpatrick and

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Judge Weinschenk. This is a call in

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IPR2015-01410.

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Are there counsel for the

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Petitioner on the line?

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MR. SANTHANAM: Yes, Your

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Honor. This is Hari Santhanam from

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Kirkland & Ellis on behalf of the

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Petitioners.

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HON. J. ARBIS: Okay.

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And counsel for the Patent

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Owner.

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MR. BEZOS: Yes, good morning,

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Your Honors. This is Sal Bezos from

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Sterne Kessler, counsel for the Patent

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Owner, Magna Electronics.

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HON. J. ARBIS: Great. Thank

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you. And do we have a court reporter on

1 the line?

2 THE COURT REPORTER: Yes, we  
3 do, Your Honor. Good morning.

4 HON. J. ARBIS: Thank you. And  
5 was the court reporter retained by  
6 Petitioner or Patent Owner?

7 MR. SANTHANAM: By the  
8 petitioners, Your Honor.

9 HON. J. ARBIS: Okay.

10 MR. SANTHANAM: And again,  
11 we'll arrange to have a transcript filed  
12 with the court as soon as feasible.

13 HON. J. ARBIS: Thank you very  
14 much. We appreciate that.

15 Okay. The issue today to  
16 discuss I believe is Exhibits 1045,  
17 1046, 1054, 1055 and 1060.

18 So as I understand the facts,  
19 the exhibits were not filed with  
20 Petitioner's reply, were inadvertently  
21 omitted, but then petitioners sought the  
22 ability to file those afterwards.

23 As we understand it, Patent  
24 Owner does not object to the late filing  
25 of the exhibits but does object to them

1 being filed in reply at all.

2 So we can hear from counsel for  
3 Patent Owner first.

4 Do we have the facts correct,  
5 and if so, what relief would you be  
6 seeking?

7 MR. BEZOS: Yes, Your Honor.

8 That sounds like an accurate description.  
9 Just to add to that, it would not just be  
10 the exhibits, but of course the relevant  
11 portions of the reply we think would need  
12 to be stricken or, you know, a new copy  
13 of the reply filed with those sections  
14 referencing these exhibits omitted.

15 The reason why we think that  
16 this is an appropriate remedy is that  
17 these exhibits -- and the reason why we  
18 thought it was permissible for  
19 Petitioner to submit the exhibits into  
20 the record late, is that we did, in fact,  
21 have these, but they were being used by  
22 the Petitioner in response to evidentiary  
23 objections, and so that's such a  
24 completely different purpose from which  
25 they are trying to use these exhibits

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