

[trials@uspto.gov](mailto:trials@uspto.gov)

571-272-7822

IPR2015-01586, Paper No. 34

IPR2015-01592, Paper No. 35

October 19, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

HYDRITE CHEMICAL CO.,  
Petitioner,

v.

SOLENIS TECHNOLOGIES, L.P.,  
Patent Owner.

---

Case IPR2015-01586, Patent 8,841,469 B2  
Case IPR2015-01592, Patent 8,962,059 B1

---

Held: September 13, 2016

---

BEFORE: ERICA A. FRANKLIN, DONNA M. PRAISS, and  
JENNIFER MEYER CHAGNON, Administrative Patent Judges.

The above-entitled matter came on for hearing on Tuesday,  
September 13, 2016, commencing at 9:00 a.m., at the U.S. Patent  
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2015-01586, Patent 8,841,469 B2

Case IPR2015-01592, Patent 8,962,059 B1

APPEARANCES:

ON BEHALF OF THE PETITIONER:

CHRISTOPHER J. FAHY, ESQUIRE

RICHARD T. ROCHE, ESQUIRE

JOEL AUSTIN, ESQUIRE

Quarles & Brady, LLP

300 North LaSalle Street

Suite 4000

Chicago, Illinois 60654-3422

ON BEHALF OF PATENT OWNER:

CHARLIE C. LYU, ESQUIRE

Baker Hostetler

2929 Arch Street

Cira Centre, 12th Floor

Philadelphia, Pennsylvania 19104-2891



1 make sure to identify the demonstrative exhibits that you will be  
2 referencing clearly and specifically, for example, with the slide  
3 number. It will help ensure clarity of the record as well as ensure  
4 that Judge Praiss is able to follow along with the demonstratives.

5 As you know, pursuant to our order of August 10th,  
6 each party has one hour of time today total for presenting. You  
7 can allocate your time between the two cases as you see fit. We  
8 will be entering the same transcript into the record for both cases.

9 Petitioner has the burden to prove unpatentability of the  
10 original claims. So petitioner will present first today followed by  
11 patent owner, and petitioner may reserve some time for rebuttal if  
12 desired.

13 I also want to remind the parties today that we have  
14 some confidential information that was filed under seal in these  
15 cases. The hearing is public, as you know, so keep that in mind  
16 during your presentations. If there's any confidential information  
17 that will be discussed, please just let us know ahead of time. But  
18 I think that in these cases we should be able to discuss the  
19 confidential information without actually revealing it. You can  
20 just refer us to those cites in the record and we can look it up here  
21 on our screens. And if we need to discuss it, we can address that  
22 when we get to that point.

23 All right. So Mr. Fahy, would you like to reserve any  
24 time for rebuttal today?

1           MR. FAHY: Yes, Your Honor. I actually don't expect  
2 my opening presentation to take more than 15 or 20 minutes.

3           JUDGE CHAGNON: Okay. How about I set the time  
4 for 30 for you just so we have something on the clock?

5           MR. FAHY: You have heard people say that before.

6           JUDGE CHAGNON: So you can get started whenever  
7 you are ready.

8           MR. FAHY: Again, my name is Christopher Fahy. I'm  
9 arguing on behalf of Hydrite Chemical Company, the petitioner  
10 in both the IPR proceedings here today. And I'll begin, Your  
11 Honors, by noting that petitioner did not request oral argument  
12 for either of these proceedings. In fact, we don't believe it's  
13 necessary. We believe that the papers adequately describe and  
14 address both parties' positions. But in view of the patent owner's  
15 request for oral argument, we are more than happy to take some  
16 of our allotted time to go over a few of the issues that remain  
17 before the parties and of course, answer any questions that Your  
18 Honors have for us. But that is why I don't anticipate taking up a  
19 whole lot of time rehashing what is already in the papers here this  
20 morning.

21           Referring to slide 2, I'm sure Your Honors are familiar  
22 with the institution decisions in these proceedings. There are two  
23 patents at issue. One is the subject of each separate IPR  
24 proceeding. But the patents are extraordinarily similar. In fact,  
25 they are so similar that there was an interference proceeding

# 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.