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IPR2015-01750, Paper No. 77

IPR2015-01751, Paper No. 79

IPR2015-01752, Paper No. 77

571-272-7822

December 7, 2016

RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,

Petitioner,

vs.

APPLICATIONS IN INTERNET TIME, LLC,

Patent Owner.

Case IPR2015-01750 (Patent No. 8,484,111 B2)

Case IPR2015-01751 and IPR2015-01752 (Patent 7,356,482 B2)

Technology Center 3600

Oral Hearing Held: Tuesday, November 8, 2016

Before: LYNNE E. PETTIGREW, MITCHELL G.
WEATHERLY, and JENNIFER MEYER CHAGNON, Administrative
Patent Judges.

The above-entitled matter came on for hearing on Tuesday,
November 8, 2016, at 1:00 p.m., Hearing Room B, taken at the U.S. Patent
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

REPORTED BY: RAYMOND G. BRYNTESON, RMR,

CRR, RDR

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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

2 (1:00 p.m.)

3 JUDGE CHAGNON: Good afternoon, everyone.

4 We are here today for the final hearing for two different
5 proceedings between Petitioner, RPX Corporation, and Patent
6 Owner, Applications in Internet Time, LLC.

7 These proceedings are IPR2015-01750, relating to
8 U.S. Patent No. 8,484,111, and IPR2015-01751 and 01752
9 relating to U.S. Patent No. 7,356,482.

10 I am Judge Chagnon. I'm here today with Judges
11 Pettigrew and Weatherly.

12 We will start with having counsel introduce
13 yourselves and let us know who will be presenting today.
14 We'll start with Petitioner.

15 MR. GIUNTA: Good afternoon, Your Honor. Rich
16 Giunta and Elizabeth Hunt from Wolf Greenfield. Our plan, if
17 it's agreeable, is to split the presentation.

18 JUDGE CHAGNON: Okay. Thank you. Patent
19 Owner.

20 MR. PEARCE: Good afternoon, Your Honor.
21 Jonathan Pearce and Steven Sereboff on behalf of Applications
22 in Internet Time. We, likewise, will both be presenting.

23 JUDGE CHAGNON: All right. Thank you so
24 much. So I would like to remind the parties that during your

Case IPR2015-01750 (Patent No. 8,484,111 B2)

Case IPR2015-01751 and IPR2015-01752 (Patent No. 7,356,482 B2)

1 presentations today to please identify the demonstrative
2 exhibit that you are on just to help the clarity of the record.

3 And so pursuant to our order of October 26th each
4 party today has 90 minutes of time total to present your
5 arguments. You can allocate your time between the cases as
6 you wish and we will be entering a single transcript into each
7 of the three cases.

8 Petitioner has the burden to prove unpatentability
9 of the claims, so Petitioner will present first. Petitioner may
10 reserve time for rebuttal, if desired. And Patent Owner will
11 present after Petitioner's opening case and there will be no
12 rebuttal time for Patent Owner today.

13 Also, I just want to remind the parties that we do
14 have confidential information in the record in this case and, as
15 we discussed in our previous conference call, the parties do
16 not have plans to discuss the confidential information today.
17 So please just remember that during your presentations.

18 So, Petitioner, whenever you are ready. Did you
19 want to reserve any time today for rebuttal?

20 MR. GIUNTA: Yes, Your Honor. Our plan,
21 depending on how many questions Your Honors have, is that
22 we plan to go about an hour, maybe an hour and 10 minutes, so
23 we would like to reserve 20 to 30 minutes, if that's acceptable
24 to Your Honors.

25 JUDGE CHAGNON: Okay.

1 MR. GIUNTA: And could I just ask one point of
2 clarification? You mentioned to reference the -- are the slides
3 going to be in the record so can we refer to the slide number?
4 Is that sufficient?

5 JUDGE CHAGNON: You can refer to the slide
6 number. We won't have them in the record, but it makes it
7 easier if the court reporter needs to double-check things.

8 MR. GIUNTA: Okay. So we don't need to
9 reference the underlying evidence on the slide; it's sufficient
10 to reference the slide number?

11 JUDGE CHAGNON: Yes.

12 MR. GIUNTA: Okay.

13 JUDGE CHAGNON: Let me see if I can set this
14 clock. Whenever you are ready, you can go ahead. Thank
15 you.

16 MR. GIUNTA: Thank you, Your Honor. So across
17 these three proceedings, if I have done my math correctly, we
18 have 12 instituted grounds on 44 claims. But the contested
19 issues here are quite few.

20 The Patent Owner filed only a single Patent Owner
21 Response in all three proceedings and challenged only a
22 handful of issues. So in the absence of questions from Your
23 Honor, our plan is to focus on the handful of issues that the
24 Patent Owner raised in the Patent Owner Response.

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