

**In the Matter of:**  
*RPX Corporation vs*  
*Applications In Internet Time, LLC*

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*April 23, 2019*

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RPX Exhibit 1199  
RPX v. AIT

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

3 Case IPR2015-01750

4 Patent 8,484,111 B2

5 Case IPR2015-10751, Case IPR2015-01752

6 Patent 7,356,482 B2

7 - - - - - x

8 RPX CORPORATION,

9 Petitioner,

10 v.

11 APPLICATIONS IN INTERNET TIME, LLC,

12 Patent Owner.

13 - - - - - x

14 VIA TELEPHONE

15 Before The Honorable Mitchell Weatherly

16 The Honorable Lynne Pettigrew

17 The Honorable Jennifer Meyer Chagnon

18

19 Date: April 23, 2019

20

21 Time: 11:01 a.m. (EST)

22

23 Court Reporter: Daria L. Romano, RPR, CRR

24

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

2  
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24

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

2 JUDGE CHAGNON: This is a  
3 conference call today for cases IPR2015-01750,  
4 01751 and 07152.

5 Petitioner requested this conference  
6 call as a prehearing conference to discuss  
7 topics that the board was most interested in  
8 hearing about at that hearing later this week.

9 Just initially, a little bit of  
10 housekeeping for the hearing, I just want to  
11 remind everybody that the hearing will be closed  
12 to the public, just so we don't have to worry  
13 about discussing confidential information during  
14 the hearing.

15 So just a heads-up to everyone, I will  
16 be asking counsel for both parties at the  
17 hearing to confirm on the record that everyone  
18 that's with them there in the room has  
19 acknowledged the protective order and is  
20 authorized to access the confidential  
21 information. So just a heads-up on that, please  
22 be prepared to confirm those things for us on  
23 Thursday.

24 And do we foresee there being any

1 problems in that regard for either party?

2 MR. GIUNTA: Not for petitioner,  
3 Your Honor.

4 MR. SEREBOFF: And not for the  
5 patent owner.

6 JUDGE CHAGNON: Okay. Great.  
7 Thank you. I just wanted to get that out of the  
8 way in advance, if there were going to be any  
9 issues.

10 So we're having this call to kind of  
11 highlight the topics for discussion during the  
12 hearing. I know these things are also addressed  
13 in the recent briefing papers, but some of the  
14 topics that we thought might be most helpful to  
15 discuss at the hearing were, one, what is the  
16 test that we should apply for determining  
17 whether Salesforce is a real party in interest;  
18 and similarly, what is the test we should apply  
19 for privity.

20 Also, with respect to the privity  
21 issue, we'd like to hear from the parties, you  
22 know, is this issue waived, or does the Federal  
23 Circuit remand decision instruct us that we must  
24 consider privity, or if not, should we consider

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