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IPR2015-01953, Paper No. 98  
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IPR2015-01996, Paper No. 93  
IPR2015-01970, Paper No. 99  
IPR2015-01972, Paper No. 102  
January 3, 2017

571-272-7822

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ACTIVISION BLIZZARD, INC., ELECTRONIC ARTS, INC.,  
TAKE-TWO INTERACTIVE SOFTWARE, INC., 2K SPORTS,  
INC.

ROCKSTAR GAMES, INC. and BUNGIE, INC.  
Petitioners,

v.

ACCELERATION BAY, LLC,  
Patent Owner.

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Case IPR2015-01951, IPR2015-01953 (Patent 6,714,966 B1)  
Case IPR2015-01964, IPR2015-01996 (Patent 6,829,634 B1)  
Case IPR2015-01970, IPR2015-01972 (Patent 6,701,344 B1)

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Held: December 7, 2016

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BEFORE: SALLY C. MEDLEY, LYNNE E. PETTIGREW,  
WILLIAM M. FINK, Administrative Patent Judges.

The above-entitled matter came on for hearing on Wednesday,  
December 7, 2016, commencing at 9:00 a.m., at the U.S. Patent  
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2015-01951, IPR2015-01953 (Patent 6,714,966 B1)  
Case IPR2015-01964, IPR2015-01996 (Patent 6,829,634 B1)  
Case IPR2015-01970, IPR2015-01972 (Patent 6,701,344 B1)  
APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF PATENT OWNER:

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Case IPR2015-01951, IPR2015-01953 (Patent 6,714,966 B1)

Case IPR2015-01964, IPR2015-01996 (Patent 6,829,634 B1)

Case IPR2015-01970, IPR2015-01972 (Patent 6,701,344 B1)

1 public record of these proceedings. So be careful not to discuss  
2 any confidential information.

3 One additional item before we start. We did receive a  
4 communication from Patent Owner indicating that its expert and  
5 one of the inventors are in attendance; however, there has been no  
6 motion for live testimony, and the Panel does not anticipate  
7 asking questions of anyone except counsel.

8 Before we begin, let's have each -- counsel for each  
9 party identify themselves and the party they represent for the  
10 record.

11 Petitioner?

12 MR. BAUGHMAN: Thanks, Your Honor. It's Steve  
13 Baughman from Ropes & Gray, with my colleagues Andrew  
14 Thomases and James Davis, on behalf of Petitioners Activision  
15 Blizzard, Electronic Arts, Take-Two Interactive, 2K Sports, and  
16 Rockstar Games. And we have counsel for Bungie, Andrew  
17 Brown, here as well, and we have a representative from  
18 Petitioner, Take-Two Interactive, Linda Zabriskie. Thank you.

19 JUDGE PETTIGREW: Thank you.

20 Patent Owner?

21 MR. HANNAH: Good morning, Your Honor. James  
22 Hannah from Kramer Levin representing Acceleration Bay, and  
23 with me is Paul Andre of Kramer Levin. I also have -- the CEO  
24 of Acceleration Bay, Joe Ward, is here, and one of the inventors,  
25 Virgil Bourassa, is here, and Dr. Goodrich is here as well.

Case IPR2015-01951, IPR2015-01953 (Patent 6,714,966 B1)  
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1 JUDGE PETTIGREW: Thank you.

2 Petitioner, you may begin when ready.

3 MR. BAUGHMAN: Thank you, Your Honor.

4 Good morning, Your Honors. May it please the Board.  
5 We would like to reserve at the outset 45 minutes of our time for  
6 rebuttal, please.

7 If you could turn to slide 12, given the short time here  
8 today, Petitioners rely on our petitions and evidence provided in  
9 briefing to support our arguments in the six trials and in the six  
10 joined Bungie trials that the challenged claims of the '966, '344,  
11 and '634 patents at issue here are all anticipated or obvious in  
12 view of the prior art and the permutations we have laid out here  
13 on slide 12.

14 Turning to our slide 2, as Your Honors can see, we do  
15 have a number of demonstratives available in case particular  
16 topics arise, along with a table of abbreviations and a table of  
17 contents showing where the evidence comes from, but we don't  
18 plan to address them all unless there are particular questions.

19 Instead, to assist the Board in considering the record,  
20 we had planned an opening discussion here of three topics, along  
21 with any questions, of course, that the Board may have.

22 So first this morning I will briefly address several claim  
23 constructions, and, in particular, Patent Owner's attempt to read  
24 into the claims an array of limitations that are clearly not  
25 supported by the record here. Second, I will briefly touch on the

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