

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

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APPLE, INCORPORATED,  
Petitioner,  
v.  
PERSONALIZED MEDIA  
COMMUNICATIONS, LLC,  
Patent Owner.

Case IPR2016-00754

Patent 8,559,635 B1

-and-

Case IPR2016-01520

Patent 8,559,635 B1

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CONFERENCE CALL

April 26, 2017; 1:00 pm

BEFORE: TRENTON A. WARD

KARL D. EASTHOM

Administrative Patent Judges

Reported By:  
Robin LaFemina  
Job no: 18689

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1 JUDGE WARD: Good afternoon.  
2 This is Judge Ward with the Patent  
3 Trial and Appeal Board, joined by my  
4 colleague Judge Easthom. This is a  
5 conference call for Inter Partes Review  
6 Matter Number IPR2016-754, case in  
7 which Apple is the Petitioner and PMC  
8 is the Patent Owner.

9 Who do we have on the line for  
10 Petitioner?

11 MR. MERKIN: Good afternoon,  
12 Your Honor, this is Joel Merkin for  
13 Petitioner Apple, and with me is Alan  
14 Rabinowitz.

15 JUDGE WARD: Thank you, Mr.  
16 Merkin and Mr. Rabinowitz.

17 Anyone else going to be joining  
18 from Petitioner?

19 MR. MERKIN: No one else.

20 JUDGE WARD: Thank you. Great.

21 And who do we have on the call  
22 for Patent Owner?

23 MR. SCOTT: We have Thomas J.  
24 Scott, Jr., general counsel of  
25 Personalized Media Communications, and

1 I have with me Krupa Parikh of the law  
2 firm of Goodwin Procter.

3 JUDGE WARD: Okay. Mr. Scott,  
4 is it?

5 MR. SCOTT: Yes, that's correct.

6 JUDGE WARD: Thank you,  
7 Mr. Scott. And Ms. Parikh, thank you  
8 for joining us.

9 Is anyone else going to be  
10 joining from Patent Owner?

11 MR. SCOTT: No.

12 JUDGE WARD: Okay. I understand  
13 a court reporter is on the line. Who  
14 is it that retained the court reporter?

15 MR. MERKIN: Petitioner Apple  
16 has.

17 JUDGE WARD: Okay. Thank you,  
18 Mr. -- is that Mr. Merkin?

19 MR. MERKIN: Yes, it is.

20 JUDGE WARD: Mr. Merkin, if you  
21 could please make sure to file a copy  
22 of that transcript in our record as  
23 soon as it becomes available to you  
24 after the call.

25 MR. MERKIN: Will do, Your

1 Honor.

2 JUDGE WARD: Thank you. And  
3 also, counsel, please remember when  
4 you're speaking today if you could just  
5 announce your name when you begin to  
6 speak, that way it will make it easier  
7 for the court reporter to keep track.

8 We scheduled this conference  
9 call today at Mr. Merkin's request, his  
10 request to have a discussion for  
11 authorization regarding a motion to  
12 strike Exhibit 2140 in this case or in  
13 the alternative for the ability to file  
14 a sur-reply to Patent Owner's Motion to  
15 Amend. Mr. Merkin, I'm going to give  
16 you a chance to address those issues  
17 and then allow Patent Owner to respond,  
18 so Mr. Merkin, you have the floor.

19 MR. MERKIN: Thank you, Your  
20 Honor. Yes, it's -- Exhibit 2140 is a  
21 new exhibit that Patent Owner filed  
22 with its reply to its Motion to Amend.  
23 It's a 143 page declaration submitted  
24 by an employee at PMC, and again filed  
25 for the first time with the reply.

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