UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARRIS GROUP, INC., ARUBA NETWORKS, INC., HEWLETT PACKARD ENTERPRISE COMPANY, and HP, INC., Petitioner.

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, Patent Owner.

Case IPR2016-00768¹ Patent 5,659,891

Held: June 20, 2017

BEFORE: MEREDITH C. PETRAVICK, SCOTT A. DANIELS, and MIRIAM L. QUINN, Administrative Patent Judges.

The above-entitled matter came on for hearing on Tuesday, June 20, 2017, commencing at 10:00 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

¹ Case IPR2016-00766 has been joined with the instant proceeding.



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APPEARANCES:

ON BEHALF OF THE PETITIONER:

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1	PROCEEDINGS
2	
3	JUDGE PETRAVICK: We're here today for a hearing
4	in IPR2016-00768, which is joined with IPR2016-00766. I am
5	Judge Petravick, and joining us on the screen from Dallas is
6	Judge Miriam Quinn, and from New Hampshire is Judge Scott
7	Daniels.
8	So, if we can know who's here for Petitioner.
9	MS. HIGGINS: Good morning, Your Honors.
10	Gabrielle Higgins and Kathryn Hong on behalf of Aruba, Hewlett
11	Packard Enterprise and HP, Inc., and with us today is
12	representative Tony Baca from HP, Inc. We also have from
13	Arris, John Charles Griggers, sorry, Dan Gresham and Bob
14	Starr.
15	JUDGE PETRAVICK: Thank you.
16	MS. HIGGINS: Thank you, Your Honor.
17	JUDGE PETRAVICK: And for Patent Owner?
18	MR. KASHA: Good morning, Your Honor. My name
19	is John Kasha, I am lead counsel for the Patent Owner. I am from
20	Kasha Law. With me today is Henning Schmidt, he is from Reed
21	& Scardino, and he will be arguing today on behalf of the Patent
22	Owner. We also have Mr. Mike Carper from MTEL here.
23	JUDGE PETRAVICK: Thank you. Before you all
24	leave today, if you could give a business card to the court reporter
25	so she has the correct spelling of your name. Thank you.



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1	Before we get started today, we're going to talk about
2	the objections to the Patent Owner's demonstratives. Petitioner
3	objected to slide 14 and 23 through 25 because of references to
4	testimony of Dr. Min, which is in Exhibit 2005. And so my
5	question, Patent Owner, Petitioner tells us that you contend that
6	this material is supported by its corrected response paper 42 at 22,
7	Exhibit 2011, paragraphs 49 through 51, 130, Exhibit F, and
8	Exhibit 2005. Is that correct?
9	MR. SCHMIDT: Yes, Your Honor.
10	JUDGE PETRAVICK: All right. We have reviewed
11	those portions of Patent Owner's corrected response and exhibits
12	and we are going to sustain the objections. Those arguments and
13	the testimony of Dr. Min is not cited in the Patent Owner's
14	response, so this would be new argument. That's not allowed in
15	the demonstrative. So you will not be allowed to address or argue
16	slides 14, 23 through 25.
17	And after the hearing, we will be expunging this slide
18	deck from the record.
19	MR. SCHMIDT: I'm sorry?
20	JUDGE PETRAVICK: And you will be allowed to
21	refile a slide deck minus slides 14 and 23 through 25. I am going
22	to remind all the parties that new arguments will not be
23	considered during any of the oral arguments and that the final
24	decision will be written based on the arguments made in the
25	briefs and the other substantive papers of record.



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