

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.

Case IPR2016-00768
Patent 5,659,891

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Case IPR2016-00768
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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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