

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC., et al.  
Petitioner,

v.

TQ DELTA LLC,  
Patent Owner.

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Case IPR2016-01006 (Patent 7,835,430)  
Case IPR2016-01007 (Patent 8,432,956)  
Case IRP2016-01008 (Patent 8,238,412)  
Case IPR2016-01009 (Patent 8,238,412)

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Record of Oral Hearing  
Held: August 3, 2017

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Before SALLY C. MEDLEY, TREVOR M. JEFFERSON, and  
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

Case IPR2016-01006 (Patent 7,835,430)  
Case IPR2016-01007 (Patent 8,432,956)  
Case IRP2016-01008 (Patent 8,238,412)  
Case IPR2016-01009 (Patent 8,238,412)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

David L. McCombs, Esquire  
Theodore M. Foster, Esquire  
Gregory P. Huh, Esquire  
Haynes and Boone, LLP  
2523 Victory Avenue, Suite 700  
Dallas, Texas 75219

ON BEHALF OF THE PATENT OWNER:

Peter J. McAndrews, Esquire  
Christopher M. Scharff, Esquire  
Rajendra A. Chiplunkar, Esquire  
McAndrews Held & Malloy, Ltd.  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661

The above-entitled matter came on for hearing on  
Thursday, August 3, 2017, commencing at 1:01 p.m., at the U.S.  
Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2016-01006 (Patent 7,835,430)  
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1                    P R O C E E D I N G S

2    JUDGE MEDLEY: Good afternoon. This is  
3    the hearing for IPR 2016-01006, 1007, 1008, and  
4    1009, Cisco Systems, et al. versus TQ Delta.

5            Each side has 60 minutes to argue for  
6    the presentation. Petitioner, you will proceed  
7    first to present your case with respect to the  
8    challenged claims and grounds for which the board  
9    instituted trial. Thereafter, patent owner,  
10   you will respond to their presentation, and you  
11   petitioner may reserve rebuttal time.

12           At this time we would like the parties  
13   to please introduce themselves, beginning with  
14   petitioner.

15           MR. MCCOMBS: Good morning, Your Honors.  
16   I'm David McCombs with Haynes and Boone. And with  
17   me is Dina Blikshteyn, Theo Foster, and Gregory Huh.  
18   Gregory will be making the presentation today.

19           I'd also like to mention we have with us  
20   on behalf of Dish Networks with the Cooley, LLP  
21   firm Stephen McBride and Jennifer Volk are here.  
22   And also from the Comcast entities, we have with

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1 us Cory Manley from Duane Morris.

2 JUDGE MEDLEY: Okay. Thank you.

3 And for patent owner?

4 MR. MCANDREWS: Good afternoon, Your  
5 Honor, I'm Peter McAndrews from McAndrews Held  
6 Malloy on behalf of TQ Delta. I have with me Chris  
7 Scharff and Raj Chiplunkar. Chris Scharff will be  
8 presenting on the first four matters. When we flip  
9 to the other two, I'll take a spot and I'll be  
10 presenting on that matter.

11 We also have with us one of our summer  
12 associates, Ben Mann. He's in the back there.  
13 And then for TQ Delta, we have Mark Roach and Nada  
14 Roget.

15 JUDGE MEDLEY: Okay. Thank you.

16 MR. MCANDREWS: And this is Marcos Tzannes,  
17 one of the inventors on some of these  
18 patents, although not the ones involved in this  
19 proceeding.

20 JUDGE MEDLEY: Thank you very much.

21 So August 1st, 2017, patent owner filed  
22 a paper styled Patent Owner's Objections to the

Case IPR2016-01006 (Patent 7,835,430)  
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1 Petitioner's Demonstratives.

2 MR. MCANDREWS: Yes, Your Honors.

3 JUDGE MEDLEY: Does that still stand? Did  
4 you happen to have a chance to talk to them about  
5 all the objections?

6 MR. MCANDREWS: We did. That was after  
7 the objections, and we didn't feel that their  
8 revisions to the demonstratives addressed our  
9 objections to the demonstratives.

10 JUDGE MEDLEY: So the objections that you  
11 have currently are still the same?

12 MR. MCANDREWS: Yes, Your Honor.

13 JUDGE MEDLEY: But you did meet with them  
14 first, so that's good.

15 We had a chance to look at the  
16 objections and we feel like your objections were  
17 improper or are improper, because the patent owner  
18 did not -- you didn't demonstrate sufficiently  
19 that the contents of the objected to slides  
20 raised new issues or evidence. Rather, he objected-to slides contain  
21 references to arguments and evidence of record.

22 MR. MCANDREWS: Yes, Your Honor.

23 JUDGE MEDLEY: We understand that you  
24 may believe that they, you know, the reply was  
25 outside the scope of what they should have argued.

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