

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARRIS GROUP, INC.,  
Petitioner,

vs.

TQ DELTA, LLC,  
Patent Owner.

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Case IPR2016-01160  
Patent 8,611,404 B2

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Record of Oral Hearing  
Held: September 7, 2017

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

Case IPR2016-01160  
Patent 8,611,404 B2

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The above-entitled matter came on for hearing on Thursday, September 7, 2017, commencing at 1:01 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 PROCEEDINGS

2 JUDGE MEDLEY: Please be seated.

3 JUDGE CLEMENTS: All right. Good morning.

4 This is the final hearing for IPR2016-01160 between  
5 petitioner, ARRIS Group, Inc., and patent owner, TQ  
6 Delta, LLC.

7 I'm Judge Clements participating remotely  
8 from San Jose and with you in the room are Judges Medley and  
9 Jefferson. At this time, we'd like counsel to  
10 introduce yourselves, beginning with petitioner.

11 MR. GRESHAM: This is Dan Gresham. I'll be  
12 speaking today on behalf of petitioner, ARRIS  
13 Group. With me is my colleague, Charles Griggers.  
14 And our client representative is Carol Ansley from  
15 ARRIS Group.

16 JUDGE CLEMENTS: Okay. Thank you. And  
17 patent owner?

18 MR. MCANDREWS: Good afternoon, Your  
19 Honors. I'm Peter McAndrews on behalf of patent  
20 owner, TQ Delta, LLC. Here with me today from our  
21 law firm is Rajendra Chiplunkar, who will be  
22 presenting the oral argument today, and Tom  
23 Wimbiscus. We also have here on behalf of TQ  
24 Delta, Representative Mark Roche.

25 JUDGE CLEMENTS: Very good. Thank you very

1 much.

2 Before we proceed, I have a couple of  
3 reminders. Each party has 60 minutes of total time  
4 to present argument in the case. Petitioner will  
5 proceed first and may reserve rebuttal time.

6 Thereafter, the patent owner will respond to  
7 petitioner's presentation and petitioner may then  
8 make use of its rebuttal time, if any.

9 With respect to demonstratives, because I  
10 am remote today and in the interest of maintaining  
11 a clear transcript, when you refer to a  
12 demonstrative, please refer to the slide number so  
13 that it will appear in the transcript. I have a  
14 copy of both party's demonstratives in front of me.  
15 Any questions, petitioner?

16 MR. GRESHAM: Yes. Just with regard to  
17 housekeeping as far as reserving time, do I need to  
18 reserve a specific amount of time for rebuttal in  
19 advance, or can I make the argument and use  
20 whatever time I have left for rebuttal?

21 JUDGE CLEMENTS: I'll ask you at the outset  
22 how much time you want to reserve. And if you end  
23 up running into that time a little bit, that's  
24 fine. Or if you end early, we can give you that  
25 time on rebuttal.

26 MR. GRESHAM: Thank you.

1 JUDGE CLEMENTS: And any questions, patent  
2 owner?

3 MR. MCANDREWS: No, Your Honor.

4 JUDGE CLEMENTS: Okay. Very good.  
5 Petitioner, would you like to reserve rebuttal  
6 time?

7 MR. GRESHAM: Yes. We'd like to reserve 20  
8 minutes for rebuttal.

9 JUDGE CLEMENTS: 20 minutes. Okay. I'm  
10 giving 40 minutes for your opening. I will give  
11 you a five-minute head's up when we approach the  
12 40-minute mark. Otherwise, you may begin when  
13 ready.

14 MR. GRESHAM: Thank you. Good morning  
15 [sic]. I'm Dan Greshman, as I said, representing  
16 the petitioner, ARRIS Group. And we're here today  
17 to address Ground 1, the instituted ground, with  
18 regard to our Slide Number 2, Demonstrative Slide  
19 Number 2, of the '404 patent, obviousness in view  
20 of three references; the patented Bowie, the  
21 patented Vanzielegem -- and I apologize in advance  
22 for the pronunciation. I may refer to that as Van  
23 at some point during the process. And the third  
24 reference is the 1995 ADSL Standard.

25 With regard to Slide 3 of the  
26 demonstratives, the overview of the issues that we

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