

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON, INC., CANON U.S.A., INC., CANON FINANCIAL SERVICES, INC., FUJIFILM CORPORATION, FUJIFILM HOLDINGS AMERICA CORPORATION, FUJIFILM NORTH AMERICA CORPORATION, JVC KENWOOD CORPORATION, JVC KENWOOD USA CORPORATION, NIKON CORPORATION, NIKON INC., OLYMPUS CORPORATION, OLYMPUS AMERICA INC., PANASONIC CORPORATION, PANASONIC CORPORATION OF NORTH AMERICA, SAMSUNG ELECTRONICS CO., LTD., AND SAMSUNG ELECTRONICS AMERICA, INC.,
PETITIONER,

V.

PAPST LICENSING GMBH & CO. KG,
PATENT OWNER.

Case IPR2016-01211 (Patent 8,504,746)
Case IPR2016-01212 (Patent 8,966,144)
Case IPR2016-01216 (Patent 8,966,144)
Case IPR2016-01225 (Patent 8,966,144)

Record of Oral Hearing
September 13, 2017

Before JONI Y. CHANG, JENNIFER S. BISK, and MIRIAM L. QUINN, *Administrative Patent Judges*.

Case IPR2016-01211 (Patent 8,504,746)
Case IPR2016-01212 (Patent 8,966,144)
Case IPR2016-01216 (Patent 8,966,144)
Case IPR2016-01225 (Patent 8,966,144)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

DAVID M. MAIORANA, ESQUIRE
JONES DAY
901 Lakeside Avenue
Cleveland, Ohio 44114
216.586.3939

ON BEHALF OF THE PATENT OWNER:

PAUL B. HENKELMANN, ESQUIRE
NICHOLAS T. PETERS, ESQUIRE
FITCH, EVEN, TABIN & FLANNERY, LLP
120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603
312.577.7000

The above-entitled matter came on for hearing on September 13, 2017, commencing at 9:59 a.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia in Courtroom A.

Case IPR2016-01211 (Patent 8,504,746)
Case IPR2016-01212 (Patent 8,966,144)
Case IPR2016-01216 (Patent 8,966,144)
Case IPR2016-01225 (Patent 8,966,144)

1 PROCEEDINGS

2 JUDGE CHANG: I'm administrative patent Judge Joni
3 Chang. Here with me is Judge Jennifer Bisk and Judge Miriam
4 Quinn, who is joining us remotely from Texas.

5 I just want to double-check, Judge Quinn, can you
6 hear us?

7 JUDGE QUINN: Yes, I can hear you. Thank you.

8 JUDGE CHANG: Okay. Great.

9 At this time, I would like to ask the counsel to
10 introduce yourselves and your colleagues beginning with the
11 Petitioner.

12 MR. MAIORANA: Good morning, Your Honor. David
13 Maiorana for the Canon parties, lead counsel in the Kawaguchi
14 IPRs that we'll be arguing this morning. We've got quite a
15 cast of characters, it might take half our hearing time to
16 introduce them all.

17 JUDGE CHANG: Okay. No worry.

18 MR. MAIORANA: But I do want to mention there is
19 counsel here for Apple and LG, Ms. Gordon and Mr. Finn, who
20 are joined to this Kawaguchi IPRs.

21 JUDGE CHANG: Okay. Thank you.

22 MR. PETERS: Good morning. Nick Peters on behalf
23 of Pabst Licensing. I'm lead counsel. I also have my
24 colleague, Paul Henkelmann, who will be addressing the
25 Kawaguchi arguments today. And also I have litigation

Case IPR2016-01211 (Patent 8,504,746)
Case IPR2016-01212 (Patent 8,966,144)
Case IPR2016-01216 (Patent 8,966,144)
Case IPR2016-01225 (Patent 8,966,144)

1 counsel Rich Carl and Gregg Donahue from -- also representing
2 Papst in other related matters.

3 JUDGE CHANG: Thank you so much.

4 MR. PETERS: Thank you.

5 JUDGE CHANG: This is the consolidated oral hearing
6 for IPR2016-01211, 1212, 1216, and 1225 involving U.S.
7 Patents 8,966,144 and 8,504,749 -- I'm sorry, 746.

8 Before we begin, I have a few procedural matters to
9 go over. This oral hearing is open to the public. The
10 transcript of this hearing will be entered into the official
11 file of each of the IPR proceedings as well as in the record
12 of IPR2016-01199, 1200, 1213, and 1214, which involve the
13 same patent and have the same construction issues. The
14 transcript of tomorrow's hearing regarding these cases also
15 will be entered in each of the eight IPRs.

16 So is there any questions as to that matter?

17 Okay. Great.

18 Early this week, we determined to expunge the
19 original Petitioner's demonstrative exhibits found in
20 IPR2016-01225 in view of the Patent Owner's objection,
21 Paper 28. As to Slides 8 and 9 and pursuant to our
22 authorization, the Petitioner refiled its demonstrative
23 exhibit without those slides on September 11, 2017.

24 Does either Petitioner -- either parties have any
25 question as to the expungement and the refiling?

Case IPR2016-01211 (Patent 8,504,746)
Case IPR2016-01212 (Patent 8,966,144)
Case IPR2016-01216 (Patent 8,966,144)
Case IPR2016-01225 (Patent 8,966,144)

1 MR. MAIORANA: Not from Petitioners, Your Honor.

2 JUDGE CHANG: Okay. Thank you.

3 MR. PETERS: No questions from Papst.

4 JUDGE CHANG: Okay. Thank you.

5 We felt it was efficient to handle it as soon as we
6 can so that we didn't delay this hearing.

7 And please note that the demonstrative exhibits are
8 not evidence, they're merely visual aids as to the oral
9 hearing today. And further note that the image projected on
10 the screen will not be visible to Judge Quinn. So the
11 presenter may present only when standing at the podium so to
12 make sure that Judge Quinn can hear it clearly, remotely.
13 And also for clarity, please identify the specific slide
14 number. I know sometimes during the presentation, I will
15 remind the presenter if we get too far.

16 And consistent with our order, each party has 60
17 minutes to present each argument for IPR2016-01211, 1212, and
18 1216, involving prior art reference Kawaguchi.

19 The Petitioner will proceed first to present its
20 case as to the challenged claims. Thereafter, Patent Owner
21 will respond to the Petitioner's case.

22 Petitioner may reserve a small portion of its time
23 for rebuttal responding to the Patent Owner's specific
24 argument expressly presented during this oral hearing.

25 Thereafter, we will take a 15-minute break before

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.