

Apple Inc. vs. Voip-Pal.com, Inc.

**Reporter's Transcript of Telephonic Hearing
June 20, 2017**

Voip-Pal Ex. 2053



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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,)
)
)
Petitioner,)
Vs.)
)
VOIP-PAL.COM, Inc.,)
)
Patent Owner,)
_____)

Case No. IPR2016-01198
U.S. Patent 9,179,005

Case No. IPR2016-01201
U.S. Patent 8,542,815

REPORTER'S TRANSCRIPT OF TELEPHONIC HEARING

TUESDAY, JUNE 20, 2017

11:00 A.M. - 11:31 A.M.

Reported By:
Josie C. Gonzalez
CSR No. 13435

Job No. 10033995

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APPEARING VIA TELEPHONE:

Patent Trial and Appeal Board:

JUDGE COX
JUDGE SCALA
JUDGE SHAGNON

For the Petitioner:

ERISE IP

BY: ADAM P. SEITZ, ESQ.
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For the Patent Owner:

KNOBBE, MARTENS, OLSON & BEAR, LLP

BY: BRENT BABCOCK, ESQ.
BY: JOHN CARSON, ESQ.
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Irvine, California 92614
(949) 760-0404

1 THE COURT: Good morning. This is Judge Cox.
2 Who do we have on the call for the petitioner?

3 MR. SEITZ: Adam Seitz for petitioner, Apple.

4 THE COURT: Okay. Thank you, Mr. Seitz. And
5 for patent owner?

6 MR. BABCOCK: Good afternoon, your Honors. This
7 is Brent Babcock. And also on the phone, I believe is
8 John Carson. And we have a court reporter. Her name is
9 Josie Gonzalez from Aptus Court Reporting.

10 THE COURT: Okay. Thank you, Mr. Babcock. Once
11 this call is complete, please file a transcript of the
12 call when it becomes available.

13 MR. BABCOCK: Yes, of course.

14 THE COURT: Okay. All right.

15 Mr. Seitz, I believe you requested this call in
16 connection with IPR2016-01198 and 01201. Why don't you
17 go ahead.

18 MR. SEITZ: Yes. Thank you, your Honor.

19 We asked this call to address Paper 40, which is
20 patent owner's motion to exclude. We would like to seek
21 permission to file a motion to expunge Pages 2 to 15 of
22 that motion to exclude because it amounts to nothing
23 more than additional attorney argument, 13 pages more of
24 sur-reply in fact.

25 To give a little context, your Honor, there is

1 15 pages total here Voip-Pal is challenging or under the
2 guise of a motion to exclude, seeking to exclude
3 particular portions of testimony from six witnesses.

4 The first witness is an individual by the name
5 of Henry Hoe, who is Apple's expert. We are not seeking
6 to expunge the motion to exclude as it relates to
7 Dr. Hoe, but we are challenging what Voip-Pal has done
8 here for the remaining five witnesses.

9 The remaining five witnesses are all Voip-Pal's
10 own declarants. William Mangione-Smith, their expert;
11 John Rutter, a third party that was paid to provide a
12 declaration; David Terry, an employee of Voip-Pal;
13 Clay Paroe, an inventor and founder who was given nearly
14 a million shares to assist in this case and an
15 individual by the name of Yohan Anil Victor Purcell, who
16 was also given a million shares to participate in this
17 case.

18 The request here and the motion to exclude from
19 Voip-Pal is a little odd. You can see it's summarized
20 nicely on Page 2. They are not actually seeking to
21 strike these witnesses or exclude these witnesses from
22 the record. They are not even seeking to strike or
23 exclude the deposition transcripts from the record.
24 Instead what they are doing is seeking to strike just
25 the individual citations that Apple has made to

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