

1 CONFERENCE CALL - 11/1/16

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

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4 D-LINK SYSTEMS, INC.,
5 Petitioner,

6 vs.

Case Nos.

IPR2016-01425

7 CHRIMAR SYSTEMS, INC.,

IPR2016-01426

8 Patent Owner.

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11 CONFERENCE CALL

12 Tuesday, November 1, 2016

13 4:00 p.m.

14 B E F O R E:

15 Panel:

16 JUDGE WEINSCHENK

17 JUDGE EASTHOM

18 JUDGE WARD

19 JUDGE ANDERSON

20
21 Reported by:

22 Jennifer Ocampo-Guzman, CRR, CLR

23 JOB NO. 115115

24

25

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2 A P P E A R A N C E S :

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17 BY: JUSTIN COHEN, ESQ.

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19 REISING ETHINGTON

20 755 West Big Beaver Road

21 Troy Michigan 48084

22 BY: RICHARD HOFFMANN, ESQ.

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2 JUDGE WEINSCHENK: Good afternoon,
3 this is Judge Weinschenk. With me on
4 the line is Judge Easthom, Judge Ward,
5 and Judge Anderson. This is a
6 conference call for IPR2016-01425 and
7 01426.

8 Who do we have on the line for the
9 petitioner D-Link Systems.

10 MS. HAO: Good afternoon, Your
11 Honor, and member of the board. I'm
12 Victoria Hao, along with me is my
13 colleagues Martha Hopkins, David
14 Hoffman, and Christine Yang on behalf of
15 petitioner D-Link Systems Inc.

16 JUDGE WEINSCHENK: Okay. Ms. Hao,
17 will you be doing the speaking for
18 petitioner?

19 MS. HAO: Yes.

20 JUDGE WEINSCHENK: And do you have
21 a court reporter on the line?

22 MS. HAO: I believe so. I believe
23 the patent owner has a court reporter on
24 the line.

25 JUDGE WEINSCHENK: Oh, okay. And

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2 who do we have on the line for patent
3 owner?

4 MR. COHEN: Good afternoon, Your
5 Honor. Justin Cohen of Thompson &
6 Knight for patent owner. Also on the
7 line is Rick Hoffmann of Reising
8 Ethington. And I'll be doing the
9 speaking this afternoon.

10 JUDGE WEINSCHENK: And it sounds
11 like you retained a court reporter for
12 this call?

13 MR. COHEN: That's correct, Your
14 Honor.

15 JUDGE WEINSCHENK: Since we have a
16 court reporter on the line, I'll ask
17 each of the counsel for the parties to
18 introduce themselves again before we
19 they start speaking so that the court
20 reporter can keep that straight.

21 Also, Mr. Cohen, I'll ask that you
22 file a transcript of the call as an
23 exhibit when it's ready.

24 MR. COHEN: Yes, Your Honor.

25 JUDGE WEINSCHENK: Okay.

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2 Petitioner D-Link Systems requested
3 this call because they are seeking
4 authorization to file a reply to the
5 patent owner preliminary response.

6 So why don't we start with the
7 petitioner and tell us why you need a
8 reply.

9 MS. HAO: Thank you, Your Honor.
10 This is Victoria Hao again on behalf of
11 petitioner D-Link Systems.

12 Your Honor, without moving for
13 additional discovery, the patent owner
14 elected to file its preliminary
15 responses, in part, alleging
16 insufficient disclosure of the real
17 party-in-interest. And this is a new
18 issue, argument raised by the patent
19 owner, although there is burden on the
20 petitioner to prove a named third party
21 or the real party-in-interest for the
22 petition, we would like to have this
23 opportunity to discuss it with the
24 board, to see whether a short reply
25 could be more completed, both on factual

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