IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

- - - - - - - - - - >

APPLE, INCORPORATED,

Petitioner,

v.

PERSONALIZED MEDIA

COMMUNICATIONS, LLC,

Patent Owner.

Case IPR2016-00754

Patent 8,559,635 B1

-and-

Case IPR2016-01520

Patent 8,559,635 B1

CONFERENCE CALL

April 26, 2017; 1:00 pm

BEFORE: TRENTON A. WARD

KARL D. EASTHOM

Administrative Patent Judges

Reported By: Robin LaFemina Job no: 18689

TransPerfect Legal Solutions



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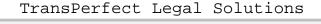
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| 1 | JUDGE WARD: Good afternoon. | |
| 2 | This is Judge Ward with the Patent | |
| 3 | Trial and Appeal Board, joined by my | |
| 4 | colleague Judge Easthom. This is a | |
| 5 | conference call for Inter Partes Review | |
| 6 | Matter Number IPR2016-754, case in | |
| 7 | which Apple is the Petitioner and PMC | |
| 8 | is the Patent Owner. | |
| 9 | Who do we have on the line for | |
| 10 | Petitioner? | |
| 11 | MR. MERKIN: Good afternoon, | |
| 12 | Your Honor, this is Joel Merkin for | |
| 13 | Petitioner Apple, and with me is Alan | |
| 14 | Rabinowitz. | |
| 15 | JUDGE WARD: Thank you, Mr. | |
| 16 | Merkin and Mr. Rabinowitz. | |
| 17 | Anyone else going to be joining | |
| 18 | from Petitioner? | |
| 19 | MR. MERKIN: No one else. | |
| 20 | JUDGE WARD: Thank you. Great. | |
| 21 | And who do we have on the call | |
| 22 | for Patent Owner? | |
| 23 | MR. SCOTT: We have Thomas J. | |
| 24 | Scott, Jr., general counsel of | |
| 25 | Personalized Media Communications, and | |



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| | | Page 4 |
| 1 | I have with me Krupa Parikh of the law | |
| 2 | firm of Goodwin Procter. | |
| 3 | JUDGE WARD: Okay. Mr. Scott, | |
| 4 | is it? | |
| 5 | MR. SCOTT: Yes, that's correct. | |
| 6 | JUDGE WARD: Thank you, | |
| 7 | Mr. Scott. And Ms. Parikh, thank you | |
| 8 | for joining us. | |
| 9 | Is anyone else going to be | |
| 10 | joining from Patent Owner? | |
| 11 | MR. SCOTT: No. | |
| 12 | JUDGE WARD: Okay. I understand | |
| 13 | a court reporter is on the line. Who | |
| 14 | is it that retained the court reporter? | |
| 15 | MR. MERKIN: Petitioner Apple | |
| 16 | has. | |
| 17 | JUDGE WARD: Okay. Thank you, | |
| 18 | Mr is that Mr. Merkin? | |
| 19 | MR. MERKIN: Yes, it is. | |
| 20 | JUDGE WARD: Mr. Merkin, if you | |
| 21 | could please make sure to file a copy | |
| 22 | of that transcript in our record as | |
| 23 | soon as it becomes available to you | |
| 24 | after the call. | |
| 25 | MR. MERKIN: Will do, Your | |
| | | |



Page 5 1 Honor. Thank you. JUDGE WARD: 3 also, counsel, please remember when you're speaking today if you could just announce your name when you begin to 5 speak, that way it will make it easier 6 7 for the court reporter to keep track. We scheduled this conference 8 9 call today at Mr. Merkin's request, his 10 request to have a discussion for 11 authorization regarding a motion to 12 strike Exhibit 2140 in this case or in 13 the alternative for the ability to file 14 a sur-reply to Patent Owner's Motion to 15 Amend. Mr. Merkin, I'm going to give you a chance to address those issues 16 17 and then allow Patent Owner to respond, 18 so Mr. Merkin, you have the floor. 19 MR. MERKIN: Thank you, Your 20 Honor. Yes, it's -- Exhibit 2140 is a new exhibit that Patent Owner filed 21 22 with its reply to its Motion to Amend. 23 It's a 143 page declaration submitted by an employee at PMC, and again filed 24 25 for the first time with the reply.





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