UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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APPLE INC.,
Petitioner,

v.

PAPST LICENSING GMBH & CO. KG,
Patent Owner.

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Case IPR2016-01839 (Patent 6,470,399 B1)
Case IPR2016-01842 (Patent 9,189,437 B2)
Case IPR2016-01863 (Patent 8,504,746 B2)
Case IPR2016-01864 (Patent 6,470,399 B1)

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Record of Oral Hearing
Held: January 16, 2018

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Before JONI Y. CHANG, JAMES B. ARPIN, and MIRIAM L.
QUINN, *Administrative Patent Judges.*

Case IPR2016-01839 (Patent 6,470,399 B1)
Case IPR2016-01842 (Patent 9,189,437 B2)
Case IPR2016-01863 (Patent 8,504,746 B2)
Case IPR2016-01864 (Patent 6,470,399 B1)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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    The above-entitled matter came on for hearing on Tuesday, January 16, 2018, commencing at 10:10 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

P R O C E E D I N G S

1   -   -   -   -   -

2   JUDGE CHANG: Good morning. Welcome. I'm

3   Administrative Patent Judge Joni Chang. Here with me joining

4   with us remotely is Judges James Arpin and also Miriam Quinn.

5   I just want to say hello to make sure the connection is correct and

6   everything goes smoothly. Good morning, Judge Arpin.

7   JUDGE ARPIN: Good morning, Judge Chang.

8   JUDGE CHANG: Good morning, Judge Quinn.

9   JUDGE QUINN: Good morning, Judge Chang.

10   JUDGE CHANG: I'm not seeing you on the TV in the

11   hearing room. I know you are remotely from Dallas. So will we

12   will able to see you at all, Judge Quinn?

13   JUDGE QUINN: I believe I was on the screen earlier.

14   The technical support staff may be able to figure that out. I can

15   see you and I can also see Judge Arpin from Denver.

16   JUDGE CHANG: Okay. Ms. Cook? Let me wait a

17   few minutes. I'm so sorry. In Dallas, actually, it was a two-hour

18   delay today due to the weather. Ms. Cook, we still just have

19   Judge Arpin on the TV. It will be better if we can see Judge

20   Quinn on the TV. In the meantime, do you mind, Judge Quinn,

21   that we go through with the introductions?

22   JUDGE QUINN: Yes, go ahead. Let's proceed.

1   JUDGE CHANG: Thank you. So we are going to start

2   with the petitioner and then the patent owner. Please introduce

3   yourself and your colleagues.

4   MS. GORDON: I'm Lori Gordon from the law firm of

5   Sterne, Kessler, Goldstein & Fox, and I'll be arguing both cases

6   today on behalf of the petitioner, Apple. With me at counsel's

7   table is Tyler Dutton as well as Steve Peters also from Sterne

8   Kessler.

9   JUDGE CHANG: Welcome. Thank you.

10   MR. GOODPASTOR: Good morning, Your Honor.

11   Chris Goodpastor with DiNovo Price for the patent owner. I'm

12   joined by my colleague, Greg Donahue as well with DiNovo

13   Price. I'll be arguing the IPRs that rely on Pucci as a primary

14   reference. Mr. Donahue will be arguing the IPRs that rely on

15   Kawaguchi.

16   JUDGE CHANG: Thank you. Yes, we can see you

17   now, Judge Quinn. Thank you so much.

18   This is a consolidated oral hearing for IPR2016-01839,

19   01842, 01863 and 01864. It is open to the public and the

20   transcript will be entered in each of the files.

21   Before we begin, I have a few procedural issues to go

22   over. Consistent with our prior order, we will start with the

23   arguments for IPR2016-01842, 1863 and 1864. Those are the

24   three cases that involve the prior art reference Pucci. Each party

1   has 45 minutes to present its argument for these three

2   proceedings. The petitioner will go first, present its case as to the

3   challenged claim. Thereafter, the patent owner will respond to

4   petitioner's case as to those three cases. Petitioner may reserve a

5   small portion of its time for rebuttal responding to the patent

6   owner's specific argument expressly presented during the hearing.

7   Thereafter, we will take a 15-minute break, okay, and after the

8   break, we'll continue the argument for IPR2016-01839 involving

9   the prior art reference Kawaguchi and using the same format.

10   And each party has 30 minutes as to that particular case.

11   Lastly, please note that the image projection will not be

12   visible to Judge Arpin and Judge Quinn. So the presenter may

13   speak only when standing at the podium, and please speak clearly

14   and also identify the specific slide number or page number from

15   the record. This way we will make sure that the record is clear.

16   And before we begin, do you have a copy of your

17   demonstratives for the court reporter? Thank you so much. And

18   then counsel, you may begin any time.

19   MS. GORDON: Thank you, Your Honor. Good

20   morning, Your Honors.

21   JUDGE CHANG: Good morning. And how much time

22   do you want to reserve for rebuttal?

23   MS. GORDON: I would like to reserve 15 minutes of

24   our argument time for rebuttal.

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