

In Re:

VALVE CORPORATION,

Petitioner,

Vs.

IRONBURG INVENTIONS, LTD.,

Patent Owner.

Case: IPR2017-00136
(Patent 8,641,525 B2)
IPR2017-00137
(Patent 9,089,770 B2)

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

HELD BEFORE PHILLIP J. KAUFFMAN

MITCHELL G. WEATHERLY

October 4, 2017

10:00 a.m.

{Via Teleconference}

Reported By:

Jeanese Johnson, CSR No. 11635, CLR

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APPEARANCES OF COUNSEL

For Petitioner:

Joshua Harrison

Reynaldo Barcelo

For Patent Owner:

Ehab Samuel

Yasser El-Gamal

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5 HON. PHILLIP J. KAUFFMAN: So I wanted to  
6 simplify this a little bit, and by the way, Judge  
7 Weatherly is on the line with me as well. Judge  
8 Petravick is in a hearing and can't be with us on the  
9 call today, but we will consult her before we do an  
10 order.

11 I understand what patent owner wants and why,  
12 so really my only question for patent owner at this  
13 point is how many pages you are asking for, and then  
14 I'll hear from petitioner and then I will move the  
15 proceeding to authorization.

16 So how many pages are you asking for, Mr.  
17 Samuel?

18 MR. SAMUEL: I think, Your Honor, ten pages  
19 will suffice.

20 HON. PHILLIP J. KAUFFMAN: Thank you.

21 And, Mr. Harrison, I don't want to talk about  
22 the merits of whether or not this motion should be  
23 granted. I only want to talk about whether or not you  
24 think authorization should be given for a motion.

25 MR. HARRISON: We don't see why not, Your

1 Honor.

2 HON. PHILLIP J. KAUFFMAN: And what do you  
3 think of ten pages?

4 MR. HARRISON: Are you referring to the  
5 opposition, Your Honor?

6 HON. PHILLIP J. KAUFFMAN: Right.

7 MR. HARRISON: I think if their motion is ten  
8 pages, we can probably respond to it in ten pages  
9 also.

10 HON. PHILLIP J. KAUFFMAN: Okay.

11 Mr. Samuel, is there anything else you want  
12 to add to that?

13 MR. SAMUEL: Well, I guess what I'm trying to  
14 figure out, Your Honor, is do you want me to make the  
15 argument as to the reason for granting the request,  
16 or...

17 HON. PHILLIP J. KAUFFMAN: No, I think that  
18 would be early. That's -- what I'd like for you to do  
19 with your motion, and I -- frankly, to tell you, you  
20 know, the way the final decisions came out, this issue  
21 was on my mind and I wanted it to be addressed in a  
22 timely manner, so I think it's good that we're having  
23 a phone call, and I really don't see any reason why we  
24 wouldn't brief this issue and address it as soon as we  
25 can.

1           So really all I wanted to hear from you on is  
2 the authorization for a motion.

3           MR. SAMUEL: Okay. So I guess what I'm  
4 confused, Your Honor, is part of the authorization  
5 request is obviously the basis for the motion, right,  
6 and so if you want me to go ahead and discuss that  
7 part, I'm happy to do so, and I'm --

8           HON. PHILLIP J. KAUFFMAN: And, you know, I  
9 think that that's smart that we include this as we're  
10 going to put a transcript in there, but I understood  
11 your request from the e-mail to be that you would like  
12 to file a motion to terminate based on 315(E)(1) and  
13 the final decision that was entered in the 948 and the  
14 949 case.

15           Is there something you would like to add for  
16 that?

17           MR. SAMUEL: Sure, Your Honor.

18           As this panel knows, you know, the final  
19 written decision was entered on September 22nd with  
20 respect to the 525 for the '948 patent.

21           The parties in that IPR are identical to the  
22 parties in the pending 136 IPR, it's Valve Corporation  
23 Versus Ironburg Inventions. The patent is the same  
24 and the claim is the same.

25           In IPR 136 the board only instituted as to

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