

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

APPLE INC.,) IPR2017-00315
) IPR2017-00321
 Petitioner,)
)
 v.)
)
 VALENCELL, INC.)
)
 Patent Owner.)
 _____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MONDAY, AUGUST 28, 2017

11:00 a.m.

REPORTER: ARIELA PASTEL, CSR 13167

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Apple 1068
Apple v. Valencell
IPR2017-00321

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1 Monday, August 28, 2017

2 11:00 a.m.

3 JUDGE MCNAMARA: This is Judge McNamara.

4 MR. SPECHT: Judge McNamara, this is Mike Specht,
5 for petitioner.

6 JUDGE MCNAMARA: Has anyone joined for the patent
7 owner yet?

8 I guess not.

9 MS. HOLOUBEK: Michelle Holoubek, counsel for
10 petitioner.

11 MR. RHOADES: Hello?

12 JUDGE MCNAMARA: Hello. This is Judge McNamara.

13 MR. RHOADES: Scott Rhoades, representing patent
14 owner.

15 JUDGE MCNAMARA: Okay. Mr. Rhoades, is anyone
16 else going to be joining you this morning?

17 MR. RHOADES: Nathan Levenson is in the office
18 with me.

19 JUDGE MCNAMARA: All right. We have Mr. Specht
20 and Ms. Holoubek from the petitioner and Mr. Rhoades and
21 -- I'm sorry. Who was that again? Nathan what?

22 MR. RHOADES: Levenson.

1 JUDGE MCNAMARA: Okay. Mr. Levenson.

2 All right. And then just so you know, Judges
3 McShane and Arpin are also on the line. All right. I
4 understand we have a court reporter on the line as well;
5 is that right?

6 MR. SPECHT: That is correct.

7 JUDGE MCNAMARA: All right. So this is a
8 conference to discuss a motion to amend. Let me at the
9 outset first ask if there are specific issues that you
10 want to address this morning.

11 Are there any specific questions with respect to
12 the motion to amend? I'm going to talk generally about
13 them, but the question is -- that I have to you is whether
14 or not there are any specific issues that you want to
15 address.

16 MR. RHOADES: This is patent owner, Scott
17 Rhoades. No, sir.

18 JUDGE MCNAMARA: Okay. Then let me address the
19 -- at the outset as well, everything I am telling you this
20 morning is the -- our current practice. Should there be a
21 decision in the Aqua Products case in the interim, before
22 you file, you should read the Aqua Products case and

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