

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS CO., LTD. and  
SAMSUNG ELECTRONICS AMERICA, INC.,  
Petitioners,

v.

IMAGE PROCESSING TECHNOLOGIES LLC,  
Patent Owner.

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Case IPR2017-00336 (Patent 6,959,293 B2)  
Case IPR2017-00353 (Patent 8,983,134 B2)

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Record of Oral Hearing  
Held: February 21, 2018

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Before JONI Y. CHANG, MICHAEL R. ZECHER, and JESSICA C.  
KAISER, *Administrative Patent Judges*.

Case IPR2017-00336 (Patent 6,959,293 B2)

Case IPR2017-00353 (Patent 8,983,134 B2)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Wednesday, February 21, 2018, commencing at 1:00 p.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 PROCEEDINGS

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3 JUDGE CHANG: Please be seated. Thank you.

4 Good afternoon. I'm Administrative Patent Judge Joni  
5 Chang. Here with me is Judge Michael Zecher. Joining with us  
6 remotely from Denver is Judge Jessica Kaiser.

7 Good afternoon, Judge Kaiser. I just want to  
8 double-check all the volume and communications.

9 JUDGE KAISER: Can you hear me now, Judge Chang?

10 JUDGE CHANG: Yes.

11 And, also, the camera that you're looking at the podium,  
12 I just want to double-check that.

13 JUDGE KAISER: No, it's not. Can you please have them  
14 change it to the podium camera?

15 JUDGE CHANG: Okay. Thank you.

16 JUDGE KAISER: Thank you very much.

17 JUDGE CHANG: Oh, no problem. Okay.

18 And, counsel, please introduce yourselves and your  
19 colleague, starting with the petitioner.

20 MR. PENSABENE: Good afternoon, Your Honor. Marc  
21 Pensabene from O'Melveny & Myers. With me is Nicholas Whilt, also  
22 from O'Melveny & Myers. Petitioner is Samsung.

23 JUDGE CHANG: Welcome.

24 MR. BADENOCH: Good afternoon, Your Honor. George  
25 Badenoch from Andrews Kurth Kenyon, and with me is Chris Coulson  
26 from Andrews Kurth Kenyon for Patent Owner.

Case IPR2017-00336 (Patent 6,959,293 B2)

Case IPR2017-00353 (Patent 8,983,134 B2)

1 JUDGE CHANG: Thank you. Welcome.

2 This is a consolidated oral hearing for IPR2017-00336  
3 and IPR2017-00353. It involved two patents: Patent 6,959,293 and  
4 Patent 8,983,134. This is open to the public. No portion -- no  
5 portion of the oral hearing is confidential, and the transcript  
6 will be entered into the file of both cases.

7 And before I begin, I have a few procedural issues to go  
8 over. Just want to be clear: The demonstratives are not  
9 evidence, and they are not substantive briefs, but they're merely  
10 visual aids to assist the parties' presentations during the oral  
11 hearing.

12 And because Judge Kaiser is participating remotely,  
13 counsel please only speak at the podium because Judge Kaiser will  
14 not be able to hear if you're just talking at the desk.

15 And for clarity, please identify the specific slide  
16 number or page number of your demonstrative when you're discussing  
17 it. And if you have any paper that you're referring to and  
18 project it on the screen, we'd be able to see it but Judge Kaiser  
19 will not. But she has access to the file electronically. So if  
20 you give her the exhibit number and the page number, if you want  
21 to direct her attention -- or our attention to any specific  
22 papers.

23 And consistent with our prior order, each party has  
24 total 45 minutes for both cases. In our order, we left it up to  
25 the parties how they break out the time. For example, you can use  
26 30 minutes for IPR2017-00353 and 15 minutes for the other case.

1 But did you -- have you guys talked to each other to at least --

2 MR. BADENOCH: Your Honor, we have not.

3 JUDGE CHANG: Okay.

4 MR. BADENOCH: I think the assumption was that  
5 petitioner would present on both patents. The Patent Owner would  
6 respond on both patents, and then the petitioner was going to  
7 reserve 15 minutes of our 45 minutes for rebuttal time, again, on  
8 both patents.

9 JUDGE CHANG: Okay. I'm good with that.

10 Patent Owner, Counsel?

11 MR. PENSABENE: That's fine, Your Honor.

12 JUDGE CHANG: Okay. Just make sure that, during the  
13 presentation, clearly state which patent -- which IPR case are you  
14 referring to. Okay?

15 MR. PENSABENE: And, Your Honor, if I may, I'm going to  
16 be presenting -- Marc Pensabene -- regarding the '134 Patent, and  
17 my colleague, Mr. Whilt, will be addressing the '293 Patent. I  
18 believe that Patent Owner may have a similar arrangement with  
19 their two counsel.

20 MR. BADENOCH: That's correct, Your Honor. I'm going to  
21 present on the '134 Patent, and my colleague, Chris Coulson, will  
22 address the '293 Patent.

23 JUDGE CHANG: Thank you for that clarification.

24 MR. BADENOCH: If I go a little over my portion, I'm  
25 sure the panel will understand. Mr. Coulson will understood.

26 JUDGE CHANG: Okay. One last thing is, did everybody

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