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

|                  |   |                      |
|------------------|---|----------------------|
| GOOGLE, INC.,    | ) |                      |
|                  | ) |                      |
| Petitioner,      | ) |                      |
|                  | ) | CASE IPR2017-00912   |
| vs.              | ) |                      |
|                  | ) | PATENT: 8,745,149 B2 |
| BLACKBERRY LTD., | ) |                      |
|                  | ) |                      |
| Patent Owner.    | ) |                      |
| -----            | ) |                      |
| GOOGLE, INC.,    | ) |                      |
|                  | ) |                      |
| Petitioner,      | ) |                      |
|                  | ) | CASE IPR2017-00913   |
| vs.              | ) |                      |
|                  | ) | PATENT: 8,402,384 B2 |
| BLACKBERRY LTD., | ) |                      |
|                  | ) |                      |
| Patent Owner.    | ) |                      |

TELEPHONIC MEETING BEFORE  
THE HONORABLES ROBERT J. WEINSCHENK  
AND RICHARD MARSCHALL  
MONDAY, APRIL 23, 2018

REPORTED BY: TANYA L. VERHOVEN-PAGE,  
CCR-B-1790

JOB NO: 141199

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April 23, 2018

3:03 p.m.

Telephonic meeting before  
THE HONORABLES ROBERT J. WEINSCHENK  
AND RICHARD MARSCHALL, before  
Tanya L. Verhoven-Page, Certified Court  
Reporter and Notary Public of the State of  
Georgia.

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- - -

1 HONORABLE R. WEINSCHENK

2 ATLANTA, GEORGIA; MONDAY, APRIL 23, 2018

3 3:03 P.M.

4  
5 P R O C E E D I N G S

6  
7 THE COURT: Let's start with the  
8 '912 case, and we'll start with  
9 Mr. Dillon.

10 MR. DILLON: Thank you, your Honor.  
11 This is Sam Dillon on behalf of the  
12 Patent Owner.

13 So we're requesting a short  
14 sur-reply to respond to a specific  
15 argument that Petitioner made regarding  
16 our characterizations or arguments  
17 related to the Graham reference.

18 Specifically they bring up certain  
19 citations to an EPO proceeding, a  
20 European Patent Office proceeding,  
21 involving a related patent where the  
22 Graham reference or a reference related  
23 to the Graham reference was also at  
24 issue, and they argued that we have made  
25 characterizations of the Graham reference

1 HONORABLE R. WEINSCHENK

2 in that proceeding that are at odds with  
3 characterizations of the Graham reference  
4 that we have made in this proceeding, and  
5 so we think that there would be a basis  
6 for a sur-reply for basically two  
7 reasons.

8 First that this is a new argument.  
9 We really haven't had the opportunity to  
10 respond to this argument in a paper.  
11 They could have raised it in the  
12 petition, but they only really filed this  
13 evidence with their reply, and then,  
14 second, we think more importantly they  
15 have effectively alleged we're taking  
16 positions that are at odds with each  
17 other in front of two different patent  
18 offices, and we think that having the  
19 opportunity to respond to this in a paper  
20 is the most kind of equitable way of  
21 dealing with this issue.

22 In addition, this file history that  
23 they rely on in this related patent is  
24 lengthy. They cite to a large number of  
25 pages, and we think kind of unraveling

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