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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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