

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TWITTER, INC.,  
Petitioner,

v.

VIDSTREAM, LLC,  
Patent Owner.

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Case IPR2017-01131 (Patent 8,464,304 B2)  
Case IPR2017-01133 (Patent 8,601,506 B2)

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Record of Oral Hearing  
Held: October 19, 2018

Before SALLY C. MEDLEY, CHARLES J. BOUDREAU, and  
JESSICA C. KAISER, *Administrative Patent Judges*.

Case IPR2017-01131 (Patent 8,464,304 B2)  
Case IPR2017-01133 (Patent 8,601,506 B2)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Friday, October 19, 2018, commencing at 3 p.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

P R O C E E D I N G S

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(3:21 p.m.)

JUDGE MEDLEY: Good afternoon. This is the hearing for IPR2017-01131 and IPR2017-01133, Twitter v. Vidstream. We would like parties to please introduce counsel at this time beginning with Petitioner.

MR. SIEGEL: Todd Siegel from Klarquist Sparkman for Petitioner, and with me is Rob Cruzen from Klarquist Sparkman as well.

JUDGE BOUDREAU: Could you please step up to the microphone? We can't hear you.

JUDGE MEDLEY: Oh. Sorry, yes, you have to step up to the --

JUDGE BOUDREAU: Thank you.

MR. SIEGEL: Todd Siegel from Klarquist Sparkman for Petitioner, Twitter.

JUDGE BOUDREAU: Thank you.

MR. CRUZEN: And Robert Cruzen from Klarquist Sparkman also for Petitioner, Twitter.

JUDGE MEDLEY: And who will be representing or speaking today?

MR. CRUZEN: I, Robert Cruzen, will be speaking as to the 1131 petition, and Mr. Siegel as to the 1133 petition.

JUDGE MEDLEY: Okay. Thank you. And for Patent Owner?

MR. ROBINSON: Eagle Robinson here for Patent Owner, Your Honor. With me is Mr. Eric Green. I will be presenting.

1 JUDGE MEDLEY: Okay. Thank you.

2 MR. SIEGEL: Your Honor, excuse me. As a preliminary, we --

3 JUDGE MEDLEY: You need to go to the microphone, I'm sorry,  
4 you have to go back to the podium

5 MR. SIEGEL: I'm sorry.

6 JUDGE MEDLEY: -- because the other two can't hear you if  
7 you're not at the podium.

8 MR. SIEGEL: It seems as though we haven't had a chance to get  
9 this working, our slide deck. I'm not sure what the -- the last time I was  
10 here, it worked fine. So, I'm not sure if we have any --

11 JUDGE MEDLEY: Well, we have copies of your demonstratives.

12 MR. SIEGEL: Okay.

13 JUDGE MEDLEY: So, if everyone is okay with that, we can just --  
14 you can just go through your slide deck and just let us know which slide  
15 you're on and we can follow along with you.

16 MR. SIEGEL: Sure. Sorry about that.

17 JUDGE MEDLEY: Okay. No problems.

18 All right. Each party has 60 minutes total time to present  
19 arguments. Petitioner, you'll proceed first to present your case with respect  
20 to the challenged claims and grounds, for which we instituted, and you may  
21 reserve some of your argument time to respond to arguments presented by  
22 Patent Owner.

23 Thereafter, Patent Owner will respond to Petitioner's presentation  
24 and reserve argument time for sur-rebuttal.

1 Are there any questions as to the order of presentations?

2 MR. CRUZEN: No, Your Honor.

3 JUDGE MEDLEY: Okay. No?

4 MR. ROBINSON: Not for Patent Owner, Your Honor.

5 JUDGE MEDLEY: Okay. Petitioner, do you want to reserve  
6 time for rebuttal, and how much?

7 MR. CRUZEN: Yes, Your Honor. 20 minutes, please.

8 JUDGE MEDLEY: Okay. And Patent Owner, Mr. Robinson?

9 MR. ROBINSON: Ten minutes, please.

10 JUDGE MEDLEY: Ten minutes. Okay. We'd like to remind  
11 the parties that the hearing is open to the public and the transcript will be  
12 entered into public record and these proceedings.

13 And also, as we spoke earlier in a previous hearing, we did not  
14 receive Patent Owner's demonstratives uploaded into the record; so, we  
15 understand that by Tuesday you will file those?

16 MR. ROBINSON: Yes, Your Honor.

17 JUDGE MEDLEY: Okay. Thank you. Petitioner, you may  
18 proceed.

19 MR. CRUZEN: Thank you, Your Honor. And it does appear that  
20 the HDMI is now working, so slides are on the screen.

21 So, I'm Robert Cruzen presenting for Petitioner, and I will be  
22 speaking as to the 304 patent in the 1131 petition; and Mr. Siegel will be  
23 speaking as to the 1133 petition.

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