

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD; AND SAMSUNG
ELECTRONICS AMERICA, INC.,
Petitioners,

v.

IMAGE PROCESSING TECHNOLOGIES, LLC,
Patent Owner.

IPR2017-01190 (Patent 6,717,518 B1)
IPR2017-01218 (Patent 8,983,134 B2)

Record of Oral Hearing
Held: June 29, 2018

Before JONI Y. CHANG, MIRIAM L. QUINN, and SHEILA F.
McSHANE, *Administrative Patent Judges*.

IPR2017-01190 (Patent 6,717,518 B1)
IPR2017-01218 (Patent 8,983,134 B2)

APPEARANCES:

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The above-entitled matter came on for hearing on Friday, June 29, 2018, commencing at 10:00 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

IPR2017-01190 (Patent 6,717,518 B1)

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1 helps her even more. And if you could, please, use the microphone as well,
2 it helps the court reporter as well as Judge Quinn and us to get a clear record.

3 And please, if you have objections, please don't interrupt the other
4 party while they are speaking. Wait until you have an opportunity to speak
5 and then present your objections.

6 Any questions on any of that?

7 MR. WHILT: No, Your Honor.

8 MR. COULSON: Your Honor, I do have a question. Do we have
9 a total for both IPRs of 30 minutes? That was my understanding of the
10 order. Or is it a total of hour that's broken into 30 minutes for each IPR?

11 JUDGE McSHANE: It was per case, right. So I believe that was
12 clear in the order.

13 MR. COULSON: That's fine, Your Honor. I just wanted to
14 clarify.

15 MR. WHILT: My understanding, Your Honor, was that it was an
16 hour for each case and 30 minutes for each side per case.

17 JUDGE McSHANE: Yeah, it says each party will be permitted
18 30 minutes per proceeding.

19 MR. COULSON: Thank you, Your Honor.

20 JUDGE McSHANE: So that's the deal so that you get 30 minutes
21 per proceeding. He gets 30 minutes per proceeding, okay. And they are two
22 separate proceedings.

23 MR. COULSON: Thank you, Your Honor.

24 JUDGE McSHANE: So petitioner, if you would like to proceed,
25 please, and do you want to reserve rebuttal time?

IPR2017-01190 (Patent 6,717,518 B1)

IPR2017-01218 (Patent 8,983,134 B2)

1 MR. WHILT: Yes, Your Honor. May I reserve 8 minutes for
2 rebuttal.

3 JUDGE McSHANE: What I'm going to do is put 30 minutes on
4 the clock and then we'll see how you make your progress and we'll work
5 from there.

6 MR. WHILT: Good morning, Your Honors. My name is Nick
7 Whilt, and I'm representing petitioner, Samsung, in IPR2017-1190. The
8 only claim at issue in this IPR is claim 39 of the '518 patent. So we are only
9 going to be focusing on that claim today.

10 JUDGE CHANG: May I interrupt you. Do you have any
11 demonstratives for the court reporter?

12 MR. WHILT: I apologize, Your Honor.

13 JUDGE CHANG: Oh, okay. I thought all that was for the court
14 reporter. Thank you very much.

15 MR. WHILT: So I'm going to jump to slide 18. I would like to
16 begin by addressing claim construction. As Samsung addressed in --
17 explained in its briefs, claim construction is largely unnecessary to deciding
18 this IPR. And therefore, unless the Board has questions regarding other
19 claim construction issues, I only plan to address the patent owner's proposed
20 construction for element 39D which is quoted on slide 18.

21 The reason I would like to address this proposed -- the patent
22 owner's construction of this term is because the Board rejected the proposed
23 construction in the institution decision, and if the Board maintains its
24 interpretation, then there's no dispute that each one of the prior art references
25 in this IPR discloses element 39D. And the reason for that is because the

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