

1 PTAB CONFERENCE CALL - 11/7/18

2 UNITED STATES PATENT AND TRADEMARK OFFICE
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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6 VIZIO, INC.,)
7 Petitioner)
8) Case No.
9 vs.) IPR2018-00437
10 NICHIA CORPORATION,)
11 Patent Owner) Patent No.
12 -----) 9,537,071 B2

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17 PTAB CONFERENCE CALL
18 November 7, 2018

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24 REPORTED BY: CARRIE LAMONTAGNE, CSR No. 13393
25 JOB NO. 150890

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November 7, 2018

12:02 p.m.

PTAB conference call, held before
Administrative Patent Judges William V. Saindon,
Sally C. Medley, and Nathan A. Engels, before Carrie
LaMontagne, a certified shorthand reporter for the
state of California.

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2 A P P E A R A N C E S:

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16 BY: MARTIN ZOLTICK, ESQ.

17 MICHAEL JONES, ESQ.

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2 JUDGE SAINDON: Hello, this is Judge
3 Saindon. This is a conference call for
4 IPR2018-00437. With me on the line are Judges
5 Engles and Medley. I can hear a lot of feedback and
6 static. So if the parties don't mind muting
7 themselves when they're not talking, that would
8 help.

9 I'd like to do a quick roll call. Patent
10 owner.

11 MR. ZOLTICK: Yes, your Honor, it's
12 Marty Zoltick and Michael Jones for patent owner
13 Nichia.

14 JUDGE SAINDON: Okay. Welcome to the
15 call.

16 MR. ZOLTICK: Thank you, your Honor.

17 JUDGE SAINDON: Petitioner.

18 MS. HIGGINS: Good afternoon, your Honor.
19 This is Gabrielle Higgins and Christopher Bonny for
20 petitioner Vizio.

21 JUDGE SAINDON: Okay. Welcome to the
22 call.

23 Has either party secured a court reporter?

24 MS. HIGGINS: Yes, your Honor, there is a
25 court reporter on the line.

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2 JUDGE SAINDON: Okay. Welcome. What I'd
3 like to ask the parties to do is whoever was
4 responsible for the court reporter to have the
5 transcript, once it's complete, uploaded as an
6 exhibit. And then also after the panel is off line
7 and the call is over, if the parties don't mind
8 staying on for just a moment to ask the court
9 reporter if there's any spellings or any issues like
10 that that can be clarified. All right. Let's get
11 started.

12 I have the e-mail in front of me. I'd like to
13 take the issue in series. We'll start with the one
14 patent owner brings up regarding some IDSes as well
15 as invalidity contentions of petitioner in the
16 district court.

17 So patent owner, if you don't mind going first,
18 just give us a quick background of what exactly is
19 going on here. Thank you.

20 MR. ZOLTICK: Sure. Thank you, your
21 Honor. It's Marty Zoltick.

22 So this first issue is basically a request for
23 the board's guidance. We filed a contingent motion
24 to amend with some substitute claims. We are aware
25 of 37 CFR 42.11 is duty of candor. There are

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