## UNITED STATES PATENT AND TRADEMARK OFFICE

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### BEFORE THE PATENT TRIAL AND APPEAL BOARD

SEOUL SEMICONDUCTOR CO., LTD., SEOUL SEMICONDUCTOR, INC. and EVERLIGHT ELECTRONIC CO., LTD., Petitioners,

v.

DOCUMENT SECURITY SYSTEMS, INC., Patent Owner.

Case IPR2018-00522<sup>1</sup> Patent 7,524, 087 B1

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Record of Oral Hearing Held: April 4, 2019

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Before SALLY C. MEDLEY, SCOTT C. MOORE, and BRENT M. DOUGAL *Administrative Patent Judges*.

<sup>&</sup>lt;sup>1</sup> Everlight Electronics Co., Ltd., which filed a Petition in IPR2018-01226, has been joined as a petitioner in this proceeding.



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### **APPEARANCES:**

### ON BEHALF OF THE PETITIONER:

MICHAEL EISENBERG, ESQUIRE Holland & Knight LLP 31 West 52<sup>nd</sup> Street New York, NY 10019

### ON BEHALF OF THE PATENT OWNER:

WAYNE HELGE, ESQUIRE JAMES T. WILSON, ESQUIRE Davidson Berquist Jackson & Gowdey, LLP 8300 Greensboro Drive, Suite 500 McLean, VA 22102

The above-entitled matter came on for hearing on Thursday, April 4, 2019, commencing at 1:00 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.



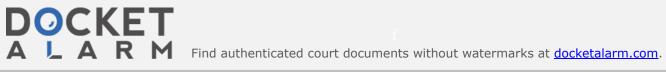
## PROCEEDINGS

1	
2	JUDGE MEDLEY: Mr. Murphy?
3	REPORTER: Yes, Your Honor.
4	JUDGE MEDLEY: Are you ready to go?
5	REPORTER: Yes, Your Honor.
6	JUDGE MEDLEY: Okay. Let's get started then.
7	THE REPORTER: Thank you.
8	JUDGE MEDLEY: Good afternoon. This is the hearing for IPR
9	2018-00522 Seoul Semiconductor, et al, v. Document Security Systems. As
10	this time, we'd like the parties to please introduce counsel for the record,
11	beginning with the Petitioner.
12	MR. EISENBERG: Michael Eisenberg of Holland and Knight on
13	behalf of the Petitioner.
14	JUDGE MEDLEY: Okay. Thank you, Mr. Eisenberg. And for
15	Patent Owner?
16	MR. HELGE: Good afternoon, Your Honor. My name is Wayne
17	Helge for the Patent Owner and with me at counsel's table is Mr. James
18	Wilson also of record in this case.
19	JUDGE MEDLEY: Okay. Thank you, Mr. Helge.
20	Each party has 30 minutes total time to present your arguments.
21	Petitioner, you'll proceed first to present your case with respect to the
22	challenged claims and grounds for which the Board instituted trial, and you
23	may reserve some of your argument time to respond to arguments presented
24	by Patent Owner. And then Patent Owner you'll respond to Petitioner's
25	presentation and you may reserve argument time for sur-rebuttal. Are there



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1	any questions as to what are presentations?
2	MR. EISENBERG: No, Your Honor.
3	MR. HELGE: No, Your Honor.
4	JUDGE MEDLEY: Okay. Petitioner, do you wish to reserve time for
5	rebuttal?
6	MR. EISENBERG: Your Honor, I'd like to reserve 10 minutes.
7	JUDGE MEDLEY: Okay. And I would just warn you that you
8	should probably keep track of it because I'm you're responsible. Okay.
9	Thank you. And then Patent Owner would you like to reserve time for sur-
10	rebuttal?
11	MR. HELGE: Yes, Your Honor. Please. Two minutes.
12	JUDGE MEDLEY: Two minutes. Okay. And again, you need to
13	kind of keep track of the time.
14	So I'd like to remind the parties that this hearing is open to the public
15	and the transcript will be entered into the public record of the proceeding,
16	which I don't think is an issue in this case. And as you can see, we have two
17	remote judges, Judge's Dougal and Moore. Actually, the name plates are
18	backwards so the person on the right is Judge Moore and the person on the
19	left is Judge Dougal. And they cannot see the slides so when you put up the
20	slides, as you know, you have to say which of your slides you're on so that
21	they know, so they can follow along. So with that having been said, let's ge
22	started with the Petitioner.
23	MR. EISENBERG: Thank you, Your Honor. So given the amount of
24	time that the parties have provided and decided that is proper for this
25	proceeding, I think two things that I would like to do. One, is to address any
26	questions that any of the judges have about the papers, the arguments, the



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l issues. I want to make sure that those are al	l addressed.
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2	Beyond that, I think the focus of my presentation today, and my
3	prepared remarks, and the slides, is really on the issue of peripheral sidewall
4	And both, importantly, how that term has been applied in this proceeding
5	and the evidence in support of Petitioner's position that both of the central
6	prior art references here disclose that element.

To move into my presentation, I'm now on Slide 8. This is just a transition into what I'd like to discuss today. On Slide 9, I have prepared a slide that shows what we have from the Board's initial decision instituting and what we have is what is now the undisputed construction of the term "peripheral sidewall." The Board said and the parties have now agreed that a peripheral sidewall is a feature having a wall-like appearance arranged at the periphery of the reflector housing; that's the construction.

The Board also left a question open for the parties to address. That question is addressed on Slide 10, and the issue that the Board asked for further information on is what does it mean for the peripheral sidewall to extend between the end faces of the housing.

Moving onto Slide 12, the Patent Owner was the first to respond on this issue in their reply -- in their response. And what the Patent Owner said was we agree with the same construction that the Board applied. That it is simply a wall-like feature that appears at the periphery of the reflector housing, exactly as the Board had said. They said also, that that feature has to extend between the first and second end faces of the reflector housing. That was precisely the language that the Board asked for further information on so, in essence, what the Patent Owner said is that additional language should be given its plain and ordinary meaning. That position is also



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