

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner,

v.

FUJIFILM CORPORATION,
Patent Owner.

Case IPR2018-00877
Patent 6,462,905 B1

Record of Oral Hearing
Held: June 21, 2019

Before SALLY C. MEDLEY, GREGG I. ANDERSON, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

Case IPR2018-00877
Patent 6,462,905 B1

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The above-entitled matter came on for hearing on Friday, June 21, 2019, commencing at 2:39 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

PROCEEDINGS

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JUDGE MEDLEY: Okay. Good afternoon. This is the Hearing for IPR 2018-00877; Sony Corporation v. Fujifilm Corporation, involving U.S. Patent Number 6,462,905.

At this time we'd like the parties to please introduce Counsel for the record, since this is a separate transcript we need to go through this again. So, please, Petitioner?

MR. SPEED: Nathan Speed on behalf of the Petitioner, Sony Corporation; with Richard Giunta, both from Wolf, Greenfield and Sacks.

JUDGE MEDLEY: Thank you.

MR. WILLIAMS: Your Honor, Eliot Williams of Baker Botts for the Patent Owner, and with me today is Margaret Welsh, also of Baker Botts.

JUDGE MEDLEY: Thank you. Each party has 45 minutes total time to present arguments. Petitioner will proceed first to present its case with respect to the challenge claims and grounds for which the Board instituted a trial, and may reserve some of its argument time to respond to arguments presented by Patent Owner. Thereafter, Patent Owner will respond to Petitioner's presentation and may reserve argument time for surrebuttal.

Petitioner, would you like to reserve time?

MR. SPEED: I'd like to reserve 10 minutes.

JUDGE MEDLEY: Ten minutes, okay. And Patent Owner, would you like to reserve time?

MR. WILLIAMS: Two minutes, Your Honor.

JUDGE MEDLEY: Okay. Thank you. All right. We'd like to remind the parties that this hearing is open to the public and the transcript

1 will be entered into the public record of the proceeding. Petitioner, you may
2 begin.

3 MR. SPEED: Thank you, Your Honors. Beginning on slide 61, for
4 this trial there are four grounds in the 877 Trial, challenging the same
5 claims, claims 1 and 2, and claim 3. The first grounds relate to the Morita I
6 and Morita II obvious combinations, and grounds 3 and 4 relate to the
7 primary reference, Tsuyuki, either as an anticipatory reference in ground 3,
8 or as a single of obviousness combination in ground 4.

9 So, starting with ground 1, Morita I plus Morita II, if we turn to slide
10 62, we'll see what should be familiar at this point to the Board, an image of a
11 brake button type cartridge. This is the Morita I cartridge, it has the brake
12 button which we've highlighted in yellow on slide 62, and this is from our
13 petition 44, you could see the brake in Figure 1 is in the disengaged state, so
14 that the reel can rotate, and in Figure 2 it's in the engaged state, so the brake
15 has come down and it's engaged a gear on the reel that restricts the cartridge
16 from rotating.

17 Now, Morita I, if we turn to slide 63, Morita 1 identifies a problem in
18 the art which is that the engagement between the projecting -- the meeting
19 projections of this cartridge which we've highlighted on slide 63, the top left
20 from our petition at page 63 as well. There's a looseness of engagement
21 between those projections, which, Morita I, at pages 7 and 8, explains that
22 looseness of engagement causes the brake button to misalign, or tilt and be
23 off-centered in the cartridge.

24 Morita I proposes a solution for this; and Morita I, I should point out,
25 is issued a decade before 905 Patent was published -- or applied for. The
26 Morita I solution is what they call a Guide Surface 17, it guides the beveled

1 gear of the brake button into the center of the reel, and so the guide surface
2 guides the brake to the center of the reel, and in doing so it resolves the
3 problem that Morita I identifies. It acts essentially as a funnel, very similar
4 to the guide members of the 905 Patent.

5 Turning to slide 64, Morita II issued, and identified a problem with
6 the Morita I design, which is namely that when the spindle on the drive
7 pushes up on the Morita I brake button, it creates a gap in that central
8 opening that allows dust and debris to enter inside the cartridge, and that's
9 bad. And we've made an annotation of that from our petition at page 45, and
10 it's shown on slide 64.

11 At slide 65, we see the solution that Morita II teaches. Morita II says:
12 the solution to this problem of the older Morita I design, is to remove its
13 locking mechanism and use a new style locking mechanism which is the
14 LTO type design, that's shown in Figure 7 on slide 65, and we've annotated
15 it, and it's from our petition at 46.

16 Their expert agrees that it was known in the art that to avoid the
17 problem of getting dirt into the cartridge that was in present in Morita I, you
18 would replace the locking mechanism of Morita -- you would replace the
19 older locking mechanism with the new LTO type design.

20 The advantage there is that it removes the hole of the center of the
21 reel. Rather than have a large central hole that needs to be pressed through
22 which a spindle, the tape drive needs to enter, you have three smaller holes
23 around the reel where the legs of the spider washer, that we discussed
24 earlier, can extend into those holes, and they are pushed up by the gear teeth,
25 but at all times a portion of the leg remains in the hole so it effectively
26 blocks it.

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