

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,
Patent Owner.

Case IPR2018-00952
Patent 9,253,239 B2

Record of Oral Hearing
Held: September 17, 2019

Before BRYAN F. MOORE, BRIAN J. McNAMARA, and MINN CHUNG,
Administrative Patent Judges.

Case IPR2018-00952
Patent 9,253,239 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 Tuesday, September 17, 2019, commencing at 10:00 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 PROCEEDINGS

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3 JUDGE MCNAMARA: All right. Good morning everybody.
4 This is the oral hearing in case IPR2018-00952. Just to remind everybody
5 Judge Chung is participating remotely so anything that you refer to you need
6 to identify by exhibit number or page number or document number so that
7 he can find it in the record and please speak clearly from the microphones so
8 that Judge Chung can hear you.

9 A couple of preliminaries. In this particular case I believe there
10 had been a Motion to Amend filed and that Motion to Amend has been
11 withdrawn and we also discussed during the prehearing conference that the
12 parties would rest on their papers with respect to real party at interest issues
13 and so this hearing is open to the public and is not confidential. If at any
14 point some subject matter comes up that anyone thinks should be
15 confidential, please alert us and then we'll decide how to handle it probably
16 in a closed session at the end.

17 So all that remains then is the case in chief. Each party will
18 have 30 minutes of argument time and we'll start with the Petitioner, then the
19 Patent Owner. Petitioner can then use whatever time it reserved to rebut and
20 the Patent Owner gets a surrebuttal directed to the Petitioner's rebuttal. I
21 would invite, beginning with Petitioner's counsel, to please introduce
22 yourselves.

23 MS. HOLTSLANDER: Thank you, Your Honor. My name is
24 Alyssa Holtslander representing Unified Patents and with me is co-counsel
25 Roshan Mansinghani.

26 JUDGE MCNAMARA: Thank you. And for the Patent

1 Owner.

2 MR. COULSON: Good morning, Your Honor. My name is
3 Chris Coulson with the law firm Bunson De Mory. With me is Mike
4 Shanahan of Bradium.

5 JUDGE MCNAMARA: All right. I assume everyone is ready
6 to begin?

7 MS. HOLTSLANDER: Yes, Your Honor.

8 MR. COULSON: Yes, Your Honor.

9 JUDGE MCNAMARA: Let's go to it.

10 MS. HOLTSLANDER: Your Honors, I have paper copies of
11 our slides which (indiscernible.)

12 JUDGE MCNAMARA: Please bring them up, sure. Make
13 sure the court reporter has one.

14 MS. HOLTSLANDER: Yes, Your Honor. She already has
15 one.

16 JUDGE MCNAMARA: And we take them from the Patent
17 Owner now at this time too. Thank you very much. Is there some time you
18 want me to alert you to?

19 MS. HOLTSLANDER: Yes. I'd like to reserve ten minutes for
20 rebuttal please.

21 JUDGE MCNAMARA: Okay. All right. Please begin.

22 MS. HOLTSLANDER: Thank you, Your Honors. Today I'm
23 on slide 2 here and just as an overview of what I'm going to discuss, first I
24 will give an overview of the patent at issue here. Then I will discuss how
25 the prior art that was discussed in the petition renders claim 20 obvious and
26 it's important to note here that Patent Owner has disclaimed all other claims

1 of the patent so what was dependent claim 20 is now the only claim at issue
2 here. Finally, there was discussion in the papers regarding why the Board
3 should not terminate this proceeding, however I'm not going to get into that
4 issue further unless the Board has questions on it.

5 On slide 3, the patent at issue is U.S. 9,253,239 and the major
6 problem that this patent was trying to address was the issue of transmitting
7 very large full resolution images over the internet as requested by a user and
8 these images could be very complex such as geographic, topographic and
9 other highly detailed maps and the problem they were trying to solve was
10 improving the transfer latency of these images.

11 On slide 4. Now the proposed solution for this problem
12 includes a core concept of dividing up these complex images into different
13 image data parcels that correspond to derivative images. These derivative
14 images have different resolutions and breaking up these large complex
15 images allows the smaller portions to move more quickly over the network
16 to be received and viewed by the user more quickly.

17 Now in addition to this core solution of the patent, the patent
18 also describes a way to prioritize how these image parcels are transferred.
19 One way that the patent describes how to prioritize the image parcels is
20 based on resolution such that there is a progressive improvement of the
21 display, that is the lower resolution images are transferred before higher
22 resolution images. In addition, another feature or add-on of this patent is
23 that when it's doing this prioritization, it can also take into account changes
24 in the viewing frustum.

25 Now I'm going to move to slide 28 to show you the patent. I'll
26 give you a moment to get there. Now this claim is a very long claim and I'm

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