

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

APPLE INC.,

Petitioner,

v.

UNILOC 2017 LLC.,

Patent Owner.

Case IPR 2018-01093
Patent 7,944,353 B2

Record of Oral Hearing
Held: August 20, 2019

Before SALLY C. MEDLEY, GARTH D. BAER, and
SEAN P. O'HANLON, *Administrative Patent Judges*.

IPR 2018-01093
Patent 7,944,353 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Tuesday, August 20, 2019, commencing at 9:00 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia, before Chris Hofer, Notary Public.

P R O C E E D I N G S

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2 JUDGE O'HANLON: Good morning everyone. This is a
3 hearing in Case No. IPR 2018-01093, Apple Inc., v. Uniloc 2017 LLC,
4 formerly Uniloc Luxembourg S.A., concerning U.S. patent No. 7,944,353.
5 I'd like to start by having counsel for the parties introduce themselves
6 starting with Petitioner.

7 MR. SEITZ: Good morning, Your Honors. Adam Seitz with
8 Erise IP for Petitioner Apple.

9 JUDGE O'HANLON: And for Patent Owner.

10 MR. MANGRUM: Good morning, Your Honors. Brett
11 Mangrum representing Uniloc. I'm with the Etheridge Law Group.

12 JUDGE O'HANLON: Thank you. I'm Judge O'Hanlon. I'm
13 joined on my right by Judge Medley and on my left by Judge Baer. Per our
14 order dated July 22, each side will have 45 minutes to argue. Petitioner will
15 argue first, Patent Owner will argue second. Each party can reserve time for
16 rebuttal. If you run over during your argument-in-chief, I will reset the
17 clock with the time you have reserved for rebuttal. I'll endeavor to let you
18 know if this happens but please be mindful of the lamp and the clock.

19 As usual, speaking objections are not allowed. If you have
20 anything to note you can do so during your time to argue. Also, please,
21 when referencing demonstratives, please state the slide number for the
22 record. With that, I'll invite Mr. Seitz to begin. Would you like to reserve
23 any time for rebuttal?

1 MR. SEITZ: Fifteen minutes, Your Honor.

2 JUDGE O'HANLON: Fifteen minutes. I'll set the clock for 30
3 minutes. Please begin when you're ready.

4 MR. SEITZ: Thank you, Your Honors. Judges O'Hanlon and
5 Medley, good to see you again. Judge Baer, pleasure to meet you sir. Your
6 Honors, I'm going to start on slide DX2. It's just a brief overview of both of
7 the patents or the two main patents that we're going to be talking about
8 today, starting with the '353 and then also looking briefly at Lemelson. I
9 want to do this from a high level to orient our discussion on whether and
10 how the patents are focused on the same solution to very similar problems.

11 The '353 patent at a high level focuses on the basics of a
12 personal safety alert system. It uses a personal what it calls a life recorder
13 which is worn by each individual and then it receives an input of data from
14 some sort of sensor. That could be a microphone, that could be some sort of
15 biomedical sensor such as a heart rate sensor but it's going to constantly
16 monitor and receive inputs from that sensor.

17 Then, and we see that depicted at 310 on figure 3 of slide DX2.
18 Once it receives that data it's going to pass that along to what it calls its
19 analysis subsystem at block 320 where it is going to then analyze the data
20 that's coming in from your microphone or from your heart rate sensor.
21 Using the heart rate sensor as an example, it's going to then compare the data
22 that it's receiving on your heart rate to data that has in its memory, which it
23 identifies as a glossary here of biometric events in block 370 and it's going
24 to be looking for a match on some sort of event, what it calls a signature, to

1 see if your heart rate is indicative of some sort of problematic scenario. Do
2 you have an elevated heart rate? Does that match a signature for some
3 medical condition? A heart attack is the low hanging fruit here. Does it
4 match a heart attack, for example the signature of a heart attack data that it
5 has in memory?

6 So once it makes that match it's going to then assess if you have
7 an abnormal heart rate whether it's a critical event such as a heart attack, and
8 then it's going to pass that along to what it calls its reporting subsystem
9 which is block 320 where then appropriate action can be taken. The
10 reporting subsystem in the '353 patent then will contact the appropriate
11 authorities. If it's a medical event obviously that's going to go to responders.
12 If it's a fire or other type of event it'll go to those types of emergency
13 responders.

14 Lemelson is also directed towards, moving to slide DX3, is
15 directed towards a personal safety alert system. It has a unit again that's
16 worn by the individual, a mobile unit that's worn by the individual, and it's
17 going to monitor data that is being received. It discloses very similar aspects
18 such as a microphone to listen to sounds from the environment. It discloses
19 biometric sensors or medical sensors such as a heart rate sensor and on the
20 left side of figure 4A depicted on DX3 it's going to follow down the path of
21 just that first part of the figure flow chart where it's going to look for or try
22 and hear these events such as a medical event coming from the heart rate
23 data or loud noises or gunshots that might be coming in.

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