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# Transcript of Hearing

**Date:** July 8, 2019

**Case:** Google, LLC -v- Cywee Group, LTD (PTAB)

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC, ZTE (USA), INC., SAMSUNG ELECTRONICS CO., LTD,  
HUAWEI DEVICE (DONGGUAN) CO. LTD., HUAWEI INVESTMENT &  
HOLDING CO. LTD., HUAWEI TECH. INVESTMENT CO. LTD., and  
HUAWEI DEVICE (HONG KONG) CO. LTD., Petitioner,

v.

CYWEE GROUP LTD,  
Patent Owner

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Case IPR2018-01257 (Patent 8,552,978 B2)  
Case IPR2018-01258 (Patent 8,441,438 B2)

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Before PATRICK M. BOUCHER, GIOVANNINI, and CHRISTOPHER L.  
OGDEN, Administrative Patent Judges.  
BOUCHER, Administrative Patent Judge.

ORDER

Conduct of the Proceedings

37 C.F.R. §§ 42.5

1 APPEARANCES:

2 CECIL E. KEY, ESQUIRE  
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9 -- on behalf of the Patent Owner (by phone)

10

11 MR. SMITH, ESQUIRE

12 -- on behalf of the Petitioner

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1           JUDGE BOUCHER: So just to reiterate, this  
2 is a call for a TR 2018-1257 and 1258. And also on  
3 the line with me are Judges Giovanni and Ogden.  
4 Because there's a court reporter, I just ask the  
5 parties to try and make sure that the court  
6 reporter knows who's speaking perhaps by saying  
7 your name if you interject at some point just so  
8 that we can try and maintain a clean transcript  
9 without any unneeded interruption by the -- by the  
10 reporter.

11           So, Mr. Key, it was the patent owner who  
12 requested the call so why don't you begin and  
13 unwind for us what it is you want to talk about. I  
14 know it's with respect to a motion to terminate the  
15 proceedings for failure to name all real parties in  
16 interest and maybe also Privy's. But if you could  
17 just kind of set forth the full context for us, we  
18 would appreciate that.

19           MR. KEY: Yes, Your Honor, and thank you  
20 for your time today. As the Board may recall,  
21 there are a series of parties that have some --  
22 some commonality that are relevant to these IPRs.

1 They are all parties have been accused of  
2 infringing the 438 and 978 patents that are the  
3 subject of the current IPRs. The accused product  
4 are all based on the -- or used the Android  
5 operating system, which we understand is under  
6 license from Google to the other parties, and the  
7 Android operating system serves as a substantial  
8 basis for the infringement claims.

9 And as we have -- you noted before, there  
10 are certain relationships between and among these  
11 parties, and we believe that those -- the facts and  
12 circumstances surrounding those relationships  
13 justify a motion to terminate for failure to name  
14 an RPI of Privy. And for example, we know now that  
15 in a series of related RPIs brought against the  
16 same patent, LG, who is one of those parties, has  
17 admitted they have an RPI relationship with Google,  
18 with Huawei and with ZTE, all of whom are these --  
19 one of these Android parties, and that can be found  
20 in IPR 2019-559 paper one at five; IPR 2019-560  
21 paper one at three; IPR 2019-1203 paper one at one.  
22 And of course with these IPRs, Google has admitted

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