UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTEL CORPORATION,
Petitioner,

v.

QUALCOMM INCORPORATED
Patent Owner.

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IPR2018-01334
Patent 8,838,949 B2

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Record of Oral Hearing
Held: August 4, 2022

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Before TREVOR M. JEFFERSON, DANIEL J. GALLIGAN, and
AARON W. MOORE, Administrative Patent Judges.

IPR2018-01334
Patent 8,838,949 B2

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      The above-entitled matter came on for hearing on Thursday,
August 4, 2022, commencing at 1:00 p.m. EDT, via Video-Teleconference.

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1	P-R-O-C-E-E-D-I-N-G-S
2	(1:00 p.m.)
3	JUDGE GALLIGAN: Good afternoon. This is an oral hearing for
4	IPR2018-01334. The patent is US Patent 8,838,949 B2. The Petitioner is
5	Intel Corporation. The Patent Owner is Qualcomm Corporation .
6	This case is on remand from the Federal Circuit and that decision is
7	at 21 F 4th 801. I'm Administrative Patent Judge Galligan. With me are
8	APJs Jefferson and Moore.
9	May we have appearances, starting first with Petitioner, please? I
10	think you're on mute.
11	UNKNOWN SPEAKER: Joe, I think you're on mute.
12	MR. HAAG: Thank you. Sorry about that. This is Joseph Haag for
13	Petitioner Intel Corporation. With me is Tom Anderson and David
14	Cavanaugh.
15	JUDGE GALLIGAN: Okay and thank you.
16	And Patent Owner, please?
17	MR. CAVANAUGH: Yeah. For the Patent Owner you have David
18	Cochran from Jones Day, and I'm by myself today.
19	JUDGE GALLIGAN: Thanks. And Mr. Cochran, your microphone
20	is a little low, so at least I'm hearing it a little faintly.
21	MR. CAVANAUGH: How does that sound? A little better?
22	JUDGE GALLIGAN: That's perfect. That's perfect, thank you.
23	Okay. Before we begin I just wanted to look at -- I think I missed -- I think I
24	said it's Qualcomm Corporation. It's Qualcomm Incorporated. If I misspoke
25	I apologize for the Patent Owner.

1   As set forth in the oral hearing order in this case, each party has 60

2   minutes of oral argument time. Our first priority is your right to be heard, so

3   if at any time during the hearing you encounter technical or other difficulties

4   that you feel undermine your ability to adequately represent your client

5   please let us know immediately.

6   And you may do this by contacting the team who have provided you

7   with the connection information. If you stop hearing and drop off, try to

8   note what was being discussed so we can figure out where to pick up again.

9   Please mute your mic and only unmute when speaking. And if

10   you're on a speakerphone and a judge is asking you a question if you could

11   just -- if you just mute while we're asking a question. Sometimes we get

12   feedback.

13   Please identify yourself when you speak so that the transcript

14   accurately reflects the speaker. When referring to an item in the record

15   please do so with specificity so that the panel can follow along and for

16   clarity in the transcript.

17   And one last thing, there is a public line. I don't think there's

18   anything confidential here but I wanted to remind the parties of that. And

19   Petitioner you will proceed first. You have the burden on the -- of

20   persuasion on the patentability issue. You have 60 minutes. Would you like

21   to reserve any time for rebuttal?

22   MR. HAAG: Yes, Your Honor, if I could reserve 15 minutes,

23   please?

24   JUDGE GALLIGAN: Okay. So I'll give you a heads up around

25   then. Just keep a watch as well.

1   And Patent Owner, you have an option for a surrebuttal if the

2   Petitioner has a rebuttal. And I'll ask you about that when your time starts.

3   With that, it is 1:03. Petitioner, you may begin.

4   MR. HAAG: Thank you, Your Honor. I'm Joseph Haag for

5   Petitioner Intel Corporation. As I mentioned, I've got David Cavanaugh and

6   Tom Anderson here with me today, and then on the public line I also have

7   Brad Waugh and Matt Fagan from Intel Corporation.

8   If we can turn to Petitioner's demonstrative Exhibit -- or Slide 5,

9   Petitioner initially challenged many claims in the '949 patent. Many of these

10 challenged claims have already been found unpatentable and those

11 unpatentable claims do not remain at issue here.

12   The only claims left in this IPR on remand are Claims 1 through 9,

13 12 and 16 through 17, of which Claims 1 and 16 are the only independent

14 claims.

15   If we can turn to Slide 6, we see Claim 1 of the '949 patent here. The

16 '949 patent describes a system and method to scatter load a software image

17 from a primary processor to a secondary processor, and that is done without

18 the entire software image from a buffer in the secondary processor, as the

19 '949 patent describes at Column 9, Lines 42 to 56.

20   The only issue on remand for Claim 1, you know, and the issues are

21 the proper construction of hardware buffer, the meaning of system memory

22 as it relates to the hardware buffer and the application of the hardware buffer

23 to the prior art.

24   I've highlighted some of the key language in Claim 1 here. In

25 particular, there is a secondary processor that includes a system memory and

26 a hardware buffer. And the system memory and hardware buffer must

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