

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTEL CORPORATION, LLC,  
Petitioner,

v.

QUALCOMM INCORPORATED,  
Patent Owner.

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Case IPR2018-01334  
Patent 8,838,949 B2

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Record of Oral Hearing  
Held: December 12, 2019

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

Case IPR2018-01334  
Patent 8,838,949 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Thursday, December 12, 2019, commencing at 9:01 a.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 PROCEEDINGS

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3 JUDGE JEFFERSON: Okay, good morning. Judge Galligan, can  
4 you hear us?

5 JUDGE GALLIGAN: Yes, I can hear you, can you hear and see me?

6 JUDGE JEFFERSON: Yes, we can.

7 JUDGE GALLIGAN: Great, good morning. This is an oral argument  
8 for IPR2018-1334 -- 01334 and it involves U.S. Patent Number 8,838,949.  
9 Petitioner is Intel and patent owner is Qualcomm and cases IPR2018-1335  
10 and 1336 have been consolidated with this proceeding.

11 I am Administrative Patent Judge Galligan and before you in the  
12 hearing room are Administrative Patent Judges Jefferson and Moore.

13 May I have appearances of counsel starting with petitioner please?

14 MR. HAAG: Good morning, Your Honors. Joseph Haag --

15 JUDGE GALLIGAN: Please step up to the podium and make sure  
16 the light's illuminated, thank you.

17 MR. HAAG: Good morning, Your Honors. Joseph Haag from  
18 Wilmer Hale representing the petitioner Intel. With me today is Tom  
19 Anderson also from Wilmer Hale. Dave Cavanaugh also from Wilmer Hale  
20 and then from my client Intel is Brad Waugh. Thank you.

21 JUDGE GALLIGAN: Thank you. Patent owner?

22 MR. COCHRAN: Good morning, Your Honors. Dave Cochran from  
23 Jones Day on behalf of Qualcomm. With me is my colleague Joe Sauer who  
24 is also from Jones Day. And with us from Qualcomm, the client, we have  
25 Ron Zhang, Yi Tang, Ken Vu and Jan Shen.

1 JUDGE GALLIGAN: Good morning.

2 MR. COCHRAN: Morning.

3 JUDGE GALLIGAN: Good morning, thank you. In this oral hearing,  
4 each party has been allotted one hour of argument time and petitioner bears  
5 the burden of proving unpatentability and will proceed first. Petitioner may  
6 reserve rebuttal time. Patent owner will proceed after petitioner and may  
7 reserve sur rebuttal time.

8 And I would just remind the parties as you proceed please identify any  
9 slides and any pages of the record with specificity so that I can follow along  
10 and also it will make for a clearer record. I have all access to anything but I  
11 won't see what you're displaying on the screen there.

12 Petitioner, how much time would you like to reserve for your rebuttal?

13 MR. HAAG: 15 minutes please.

14 JUDGE GALLIGAN: Thank you. And, patent owner, how much  
15 time would you like for sur rebuttal?

16 MR. COCHRAN: Likewise, 15 minutes.

17 JUDGE GALLIGAN: Thank you. And Judge Jefferson has  
18 graciously volunteered to run the clock in the hearing room so I believe  
19 that's the case, sorry if I'm speaking out of turn.

20 JUDGE JEFFERSON: Yes.

21 JUDGE GALLIGAN: Thank you. And with that, petitioner, you may  
22 begin.

23 MR. HAAG: Thank you, Your Honors. Joseph Haag again from  
24 Wilmer Hale for the petitioner Intel.

25 On Slide 2, I would like to give you a brief road map of the topics I

1 intend to cover today. And I'm going to start with a brief overview of the  
2 949 patent and an overview of the prior art at issue in this IPR. And I'm  
3 then going to get into obviousness issues and some of the disputed issues in  
4 this matter.

5 So I'd like to turn now to the 949 patent and if we go to Slide 5, we  
6 see challenged Claim 1 of the 949 patent. It includes a secondary processor  
7 in purple that has a system memory that's shown in red and a hardware  
8 buffer that's shown in light blue.

9 It also requires in gray that the image header and each data segment  
10 are received separately by the hardware buffer and then Claim 1 also  
11 requires a scatter loader controller which we have colored yellow to load the  
12 image header and scatter load each received data segment into system  
13 memory.

14 The claim also requires a primary processor that's shown in green  
15 here with a memory that's shown in orange as well as an interface that's  
16 shown in blue that couples the primary and secondary processors.

17 The other claims are generally similar to Claim 1, but broader at least  
18 in some respects. For instance Claim 1 is the only independent claim that  
19 requires a hardware buffer and scatter loading directly from the hardware  
20 buffer to system memory.

21 And I'm going to focus mostly on Claim 1 for the issues here today  
22 because I think all the issues in dispute or almost all the issues in dispute  
23 relate to Claim 1 with the exception of a couple dependent claims.

24 Slide 65 shows Figure 3 from the 949 patent with some highlighting  
25 and some annotations. In short, the 949 patent relates to a secondary

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