

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUBILANT DRAXIMAGE INC.,
Petitioner,

v.

BRACCO DIAGNOSTICS INC.,
Patent Owner.

IPR2018-01448 (Patent 9,299,468 B2)
IPR2018-01449 (Patent 9,299,467 B2)
IPR2018-01450 (Patent 9,299,468 B2)

Record of Oral Hearing
Held: October 29, 2019

BEFORE: HYUN J. JUNG, GEORGE R. HOSKINS, and
RICHARD H. MARSCHALL, *Administrative Patent Judges.*

IPR2018-01448 (Patent 9,299,468 B2)
IPR2018-01449 (Patent 9,299,467 B2)
IPR2018-01450 (Patent 9,299,468 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 October 29, 2019, commencing at 12:59 p.m., at the U.S. Patent and Trademark Office, Madison Building, 600 Dulany Street, Alexandria, Virginia, 22314.

IPR2018-01448 (Patent 9,299,468 B2)
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1 (Proceedings begin at 12:59 p.m.)

2 JUDGE JUNG: This is the oral hearing for IPR 2018-01448,
3 -01449, and-01450.

4 In these proceedings, petitioner, Jubilant
5 Draximage, challenges claims of U.S. Patent Nos. 9,299,467
6 and 9,299,468, both of which are owned by Bracco
7 Diagnostics.

8 Starting with the petitioner's counsel, and followed
9 by the patent owner's counsel, would you please state your
10 names for the record.

11 MR. HAILS: Robert Hails for Jubilant Draximage.

12 JUDGE JUNG: Thank you.

13 MR. WALKER: Cy Walker, Baker Hostetler, also for
14 Jubilant.

15 JUDGE JUNG: Welcome, Mr. Walker.

16 MR. SCHINDLER: Harry Schindler for the patent
17 owner.

18 With me is Heath Briggs, and there are some others.
19 Julie Bookbinder is our colleague from Greenberg Traurig.

20 And there are the two Bracco representatives, Vito
21 DeBario and Guyan Liang. I'm terrible with names, so
22 apologize.

23 JUDGE JUNG: Welcome to you all.

24 MR. SCHINDLER: Thank you, Your Honor.

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1 JUDGE JUNG: As we stated in the trial hearing
2 order, each party has one hour of total time to present their
3 arguments for all three cases. You may present your cases in
4 any order that you wish, just make it clear which case you
5 are talking specifically about.

6 Petitioner will proceed first, followed by patent
7 owner, and each side may reserve time for rebuttal.

8 Two reminders. Please refer to your demonstratives
9 by slide number. And if you have an objection, do not
10 interrupt the presentation to make that objection, please
11 save it towards the end of the presentation.

12 And I noticed there's no objections to the
13 demonstratives in the record, so I just want to verify that.

14 Mr. Hails, is that correct, there are no objections
15 to patent owner's demonstratives?

16 MR. HAILS: That's correct, Your Honor.

17 JUDGE JUNG: And Mr. Schindler, no objections to
18 petitioner's demonstratives?

19 MR. SCHINDLER: Yes, Your Honor.

20 JUDGE JUNG: Okay. Thank you.

21 All that said, Mr. Hails, you may proceed when
22 you're ready.

23 MR. HAILS: Thank you, Your Honor.

24 Can you give me one moment, please?

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1 (Pause in the proceedings)

2 MR. HAILS: All right. Good afternoon. May it
3 please the Board.

4 Again, Bob Hails representing Jubilant Draximage.

5 I'd like to reserve, let's call it 20 minutes for
6 rebuttal time, please.

7 JUDGE JUNG: You may begin.

8 MR. HAILS: Thank you.

9 All right. So you've seen the demonstratives and
10 you've seen the arguments in all three IPRs.

11 We obviously have a structured presentation for you
12 today, but certainly, if there are any questions or if there
13 are any issues that you want us to focus on, please let us
14 know and we'd be happy to accommodate you.

15 So going through the demonstratives. The first
16 couple slides are just introductory, repeating the claim
17 language in case we need it.

18 On Slide 5, we have just a reminder at a high level,
19 you know, how -- the structure of the prior art, the primary
20 reference Klein matches up against the -- the claims, and we
21 took Claim 1 from the '467 patent just as a representative
22 example.

23 The claim refers to a shielding assembly for a
24 generator. That's generally color-coded in red throughout

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