

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CANON U.S.A., INC., GOPRO, INC.,  
GARMIN INTERNATIONAL, INC., AND GARMIN USA, INC.,  
Petitioners

v.

CELLSPIN SOFT, INC.,  
Patent Owner.

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Case IPR2019-00127  
Patent 9,258,698 B2

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RECORD OF ORAL HEARING

Oral Hearing Held January 28th, 2020

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Before GREGG I. ANDERSON, DANIEL J. GALLIGAN, and  
STACY B. MARGOLIES, *Administrative Patent Judges*.

Case IPR2019-00127  
Patent 9,258,698 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Tuesday, January 28th, 2020, commencing at 1:02 p.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia

P-R-O-C-E-E-D-I-N-G-S

1:02 p.m.

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2  
3 JUDGE MARGOLIES: Good afternoon and welcome. We  
4 are here for a final hearing in IPR2019-00127, captioned Canon  
5 U.S.A., Inc., GoPro, Inc., Garmin International, Inc. and Garmin  
6 USA, Inc., v. Cellspin Soft, Inc.

7 Let me introduce the panel. I am Judge Margolies here in  
8 Alexandria. Judge Anderson is appearing via video from California  
9 and he's on the left of the split screen. Judge Galligan is appearing  
10 via video from our Dallas regional office on the right side of the split  
11 screen.

12 Let's get the parties' appearances. Who do we have  
13 appearing on behalf of Petitioner?

14 MR. NEWTON: Jared Newton on behalf of Petitioner  
15 Canon.

16 JUDGE MARGOLIES: Good afternoon.

17 MR. NEWTON: Good afternoon.

18 JUDGE MARGOLIES: Who do we have appearing on  
19 behalf of Patent Owner?

20 MR. EDMONDS: John Edmonds and Rene Vazquez on  
21 behalf of Patent Owner Cellspin.

22 JUDGE MARGOLIES: Good afternoon.

23 MR. EDMONDS: Good afternoon.

24 JUDGE MARGOLIES: We set forth the procedure for  
25 today's hearing in our trial hearing order. And, as a reminder,

1 Petitioner Canon and Patent Owner each will have one hour of total  
2 time to present arguments, including arguments regarding the parties'  
3 motions to strike.

4 Petitioner has the burden of proof and will go first. Patent  
5 Owner will then present opposition arguments. Then, to the extent  
6 Petitioner has reserved time, Petitioner will present rebuttal  
7 arguments. And then to the extent Patent Owner has reserved time,  
8 Patent Owner will present sur-rebuttal arguments.

9 For clarity in the transcript and for the benefit of Judges  
10 Anderson and Galligan, who are participating remotely, when you  
11 refer to an exhibit on the screen, please identify the exhibit number  
12 and page number. And when you refer to a demonstrative slide,  
13 please identify the slide number.

14 In Paper 41, Patent Owner objected to some of Petitioner's  
15 demonstrative exhibits. Yesterday, we held a prehearing conference  
16 and we ruled that Petitioner may use those demonstrative exhibits  
17 during today's hearing.

18 Are there any questions on behalf of Patent Owner at this  
19 time?

20 MR. EDMONDS: Only, Your Honor, also, please let the  
21 record reflect that the hearing yesterday, because I don't think it was  
22 recorded, that the parties were told that we need not object during the  
23 argument of the other party.

1           The judges don't want us interrupting the other party, and that  
2           our motions to strike and the objections are on file and I recall it being  
3           said those are preserved.

4           I just want that -- because I don't want any ambiguity later that  
5           if I don't stand up and object while my friend here speaks, that  
6           someone later on would say that I should have done so.

7           JUDGE MARGOLIES: That's correct. We're not  
8           interrupting arguments by counsel. We have the motions to strike on  
9           file.

10          Any other questions for Patent Owner?

11          MR. EDMONDS: No. Thank you, Your Honor.

12          JUDGE MARGOLIES: Okay. Any questions on behalf of  
13          Petitioner?

14          MR. NEWTON: No questions from Petitioner

15          JUDGE MARGOLIES: Okay. And, Petitioner, would you  
16          like to reserve a certain amount of time for rebuttal?

17          MR. NEWTON: Yes. I'd like to reserve 20 minutes.

18          JUDGE MARGOLIES: 20 minutes.

19          You may proceed, Counsel, when you're ready.

20          MR. NEWTON: Thank you, Your Honor.

21          Good afternoon. My name is Jared Newton. I'm from the  
22          law firm of Quinn, Emanuel, Urquhart & Sullivan. I represent the  
23          Petitioner Canon in this proceeding.

24          And before I get started on our presentation, I want to make a  
25          few introductions to some folks who are here from Canon. We have

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