

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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4 PANASONIC CORPORATION OF NORTH AMERICA, et al.,  
5 Petitioners,

6 v.

7 CELLSPIN SOFT, INC.

8 Patent Owner

9  
10 CASE: Unassigned

11 Patent No. 9,258,698

12  
13 PETITION FOR INTER PARTES REVIEW  
14 OF U.S. PATENT NO. 9,258,698

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23 Veritext Legal Solutions

24 Mid-Atlantic Region

1250 Eye Street NW - Suite 350

25 Washington, D.C. 20005

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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4 TELEPHONIC HEARING

5 February 25, 2019  
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24 Reported by: Ahuva Goldberger

25 Veritext Legal Solutions

1 APPEARANCES:

2  
3 ON BEHALF OF PANASONIC CORPORATION OF NORTH  
4 AMERICA:

5 T. VANN PEARCE, JR., ESQUIRE

6 Orrick Herrington & Sutcliffe

7 Columbia Center

8 1152 15th Street, N.W.

9 Washington, D.C. 20005-1706

10 Telephone: 202-339-8696

11 E-mail: Vpearce@orrick.com

12  
13 ON BEHALF OF CELLSPIN SOFT, INC.:

14 JOHN J. EDMONDS, ESQUIRE

15 Collins Edmonds Schlather & Tower, PLLC

16 355 South Grand Avenue, Suite 2450

17 Los Angeles, California 90071

18 Telephone: 213-973-7846

19 E-mail: Jedmonds@ip-lit.com

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2                           PROCEEDINGS

3       Whereupon,

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5                           (Proceedings commenced at 11:30 a.m.)

6  
7                       MR. PEARCE:   Good morning, your Honor.   This  
8       is Vann Pearce, for the petitioners.

9                       JUDGE ANDERSON:   Thank you, Mr. Pearce.   For  
10      patent owner, an entry, please.

11                      MR. EDMONDS:   Good morning, Your Honor.  
12      This is John Edmonds.   I'll be doing the talking, but  
13      also on the line is my colleague, Eric Carr.   We're  
14      here on behalf of the patent owner.   We refer to the  
15      patent owner as Cellspin.

16                      JUDGE ANDERSON:   Very good.   Thank you,  
17      Mr. Edmonds.   Mr. Carr, glad to have you join us.  
18      Okay.   So the petitioner has asked for leave to file a  
19      reply to the patent owner's preliminary response.

20                      And with that, first of all, if anybody has  
21      a court reporter on the line, let me know.   I'm  
22      assuming there is none.   So go ahead, Mr. Pearce.   What  
23      are we looking at here?

24                      MR. PEARCE:   Briefly, Your Honor, is someone  
25      from Veritext on the line?   We made an arrangement for

1 a court reporter to join. Is anyone on?

2 MADAM COURT REPORTER: Yes, I am.

3 JUDGE ANDERSON: Okay. Well, Mr. Pearce, as  
4 you made that arrangement, would you see to it that the  
5 transcript of this call gets filed as an exhibit in the  
6 case, please.

7 MR. PEARCE: Certainly. And with that, Your  
8 Honor, just to briefly address the issue here. The  
9 patent owner had argued in its preliminary response  
10 that there is a lack of standing to institute the IPR  
11 because of a ruling of invalidity in a co-pending  
12 litigation by district court. The patent owner is  
13 currently appealing that ruling, and it is before the  
14 federal circuit now.

15 We have requested leave to file a short  
16 reply for each, which I think would be no more than  
17 three pages to address that lack of standing argument.  
18 And there are really two reasons why there is good  
19 cause to allow our reply brief here.

20 The first is that the patent owner has cited  
21 a number of cases in support of this argument. This is  
22 on page 42 of the preliminary response. These cases  
23 are clearly different situations than the case at hand.

24 These are -- claims in this case were either  
25 canceled by the patent owner, or there was a final

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