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APPEARANCES ON COUNSEL:

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P R O C E E D I N G S

JUDGE CRUMBLEY: This is Case
IPR2019-00202 between BASF and
Ingevity South Carolina

Do we have counsel for BASF on
the line?

MS. GORDON: Yes, your Honor.
Lori Gordon from King & Spalding. I
am here with Steven Peters and Jim
Brogan, and I apologize for my
connection. I am dialing in remotely.
I have someone working to hopefully
address the connection issues.

JUDGE CRUMBLEY: Okay, and I
appreciate that as someone who has had
connection issues in the past, but if
one of your co-counsel would step up
and jump in if you get too broken up,
I would appreciate that.

And do we have the Patent Owner's
attorney?

MR. BUROKER: Your Honor, this
is Brian Buroker and Spencer Ririe is
also on the line with me.

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Proceedings

JUDGE CRUMBLEY: And who retained the reporter for today?

MS. GORDON: Petitioner did, your Honor.

JUDGE CRUMBLEY: Okay, Ms. Gordon, if you would do me a favor and just file the transcript when you get it?

MS. GORDON: Yes, we will, your Honor. Thank you.

JUDGE CRUMBLEY: What we have here is a request for authorization for a reply brief to the preliminary response that the Petitioner wants to file, so I will give the floor to you first Ms. Gordon, to ask for the briefing you want.

I appreciate you letting us know just sort of the number of pages you are looking for, the time line you are looking to file in, and, obviously, the subject matter of what you want to address in the brief.

MS. GORDON: Thank you, your

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Proceedings

Honor.

So Petitioner requests leave to reply to Patent Owner's preliminary response on two very brief points: If cause exists in this case to grant Petitioner's request because Patent Owner mischaracterized the law of obviousness as it relates to inherency. It also mischaracterized Petitioner's arguments.

In the petition, Petitioner demonstrated that our primary reference, Baylar (ph), uses the same two state solutions at issue as the 844 patent claims, including the use of a honeycomb for the subsequent volume.

The secondary reference part discloses a method of making this honeycomb. And what the 844 patent did was created a new metric which it called the IAC to describe its volumes. And this is not and was not a term of art.

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