

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON INC., CANON U.S.A., INC., and
AXIS COMMUNICATIONS AB,
Petitioner,

v.

AVIGILON FORTRESS CORPORATION
Patent Owner.

IPR2019-00311
IPR2019-00314
Patent 7,923,923 B2 & C1

Record of Oral Hearing
Held: April 8, 2020

Before GEORGIANNA W. BRADEN, KIMBERLY McGRAW, and
JESSICA C. KAISER, *Administrative Patent Judges*.

IPR2019-00311
IPR2019-00314
Patent 7,923,923 B2 & C1

APPEARANCES:

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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Wednesday,
April 8, 2020, commencing at 1:10 p.m., via Video Teleconference.

1 PROCEEDINGS

2
3 JUDGE MCGRAW: This is Judge McGraw and I think we are ready
4 to begin. So, I would like to start by thanking everyone for your flexibility
5 in conducting this remote hearing today. We realize this is a departure from
6 our typical practice where we are able to have the parties and at least one
7 judge together in the hearing room. Because this is a different type of
8 procedure, I'd like to start by clarifying a few items.

9 First, our primary concern is your right to be heard. If at any time
10 during the hearing if you encounter technical or other difficulties that you
11 feel fundamentally undermine your ability to adequately represent your
12 client, please let us know immediately. For example, by contacting our team
13 members who provided you with the connection information.

14 Second, I'd like to remind everyone that there is no recording of this
15 proceeding permitted. Therefore, no one is able to make an audio or a video
16 recording. This is the same procedure that we would have in the actual court
17 room hearing where nobody is allowed to bring in a recording device into
18 the hearing.

19 Third, when you're not speaking if you could please mute yourself that
20 will help keep a clearer record. Fourth, to help the court reporter know who
21 is speaking and to prepare an accurate transcript, we ask that everyone
22 identify themselves before speaking and the judges, we will also attempt to
23 do that each time that we ask a question.

24 Also, we are very familiar with the record and we have access through
25 our computer system to the entire record including the demonstratives.

1 When you refer to the demonstratives, however, and you switch slides,
2 please be sure to identify the new slide by page number so that we can
3 follow along. Also, if you would like the panel to review a particular page
4 or a document or exhibit in the record, after you identify that particular page,
5 please pause for a few moments as it might take us a few seconds to navigate
6 the record to get to that particular page in the record.

7 Also counsel, because we are doing this remotely, you are not able to
8 view the timer that we have in our hearing rooms. So, counsel are urged to
9 use some sort of timer to keep track of their argument time. Later, I will get
10 each party's rebuttal reserval time and we will make every effort to let you
11 know when you are going into rebuttal and to give you a few minutes
12 warning before all of your time is up. But please remember it's counsel's
13 responsibility to keep track of time.

14 Finally, please be aware that additional co-counsel, members of the
15 public, including client representatives may be listening in to this oral
16 hearing through an audio connection. So, please refrain from disclosing any
17 confidential information. Does anyone have any questions about the issues
18 that I just reviewed? Petitioner Mr. Martinelli?

19 MR. MARTINELLI: No, Your Honor, that was very clear.

20 JUDGE MCGRAW: Thank you and Mr., could you please pronounce
21 your last name again?

22 MR. DOKHANCHY: Sure, Your Honor, it's Dokhanchy.

23 JUDGE MCGRAW: Thank you, Mr. Dokhanchy.

24 MR. DOKHANCHY: Thank you, Your Honor and no questions from
25 us.

1 JUDGE MCGRAW: Thank you. As set forth in our oral hearing
2 order and this is Judge McGraw speaking, each side has 75 minutes total to
3 argue. Although the 311 and 314 [dropped audio 3:46] those cases will be
4 argued together as they both involve the same patents and there is a
5 substantial overlap of issues. A single transcript will be created and entered
6 into each proceeding.

7 Petitioner who has the burden of proof to show the unpatentability of
8 the challenged claims by a preponderance of the evidence will begin by
9 presenting its case. Patent Owner will then respond. Thereafter, Petitioner
10 may use any time it has reserved for rebuttal to respond to Patent Owner's
11 argument. Petitioner's rebuttal time may not be more than half of the
12 allotted time. Thereafter, Patent Owner may present a brief surrebuttal.
13 With that, I invite Petitioner to begin and how much time would you like to
14 reserve for rebuttal?

15 MR. MARTINELLI: Thank you, Your Honor. I'd like to reserve 35
16 minutes.

17 JUDGE MCGRAW: 35 minutes which means you have 40 minutes
18 for your opening presentation.

19 MR. MARTINELLI: All right, well I'll begin then.

20 JUDGE MCGRAW: Thank you very much.

21 MR. MARTINELLI: I thank all of you and all the staff for attending
22 in these strange times that we're in and I appreciate everybody making
23 themselves available. I'm Richard Martinelli. I will be representing Canon,
24 Petitioner Canon in this hearing.

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