

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:

ON BEHALF OF PETITIONER AXIS COMMUNICATIONS AB:

C. GREGORY GRAMENOPOULOS, ESQUIRE  
Finnegan, Henderson, Farabow, Garrett & Dunner LLP  
901 New York Avenue, NW  
Washington, D.C. 20001-4413

ON BEHALF OF PETITIONERS CANON INC. AND CANON U.S.A.  
INC.:

RICHARD MARTINELLI, ESQUIRE  
Orrick Herrington & Sutcliffe  
1152 15th Street, NW  
Washington, D.C. 20005

ON BEHALF OF THE PATENT OWNER:

REZA DOKHANCHY, ESQUIRE  
Kirkland & Ellis  
1301 Pennsylvania Avenue, NW  
Washington, D.C. 20004

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.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.