

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MPH TECHNOLOGIES OY,
Patent Owner.

IPR2019-00819 (Patent 7,620,810 B2)
IPR2019-00820 (Patent 7,937,581 B2)

Record of Oral Hearing
Held: June 25, 2020

Before KAMRAN JIVANI, JOHN D. HAMANN, and
STACY B. MARGOLIES, *Administrative Patent Judges*.

IPR2019-00819 (Patent 7,620,810 B2)
IPR2019-00820 (Patent 7,937,581 B2)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

MICHAEL D. SPECHT, ESQUIRE
DANIEL S. BLOCK, ESQUIRE
TIMOTHY L. TANG, ESQUIRE
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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Thursday, June 25, 2020,
commencing at 9:30 a.m. EDT, by video/by telephone.

1 PROCEEDINGS

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3 JUDGE HAMANN: Good morning. I'm Judge Hamann. On the panel
4 today also are Judges Jivani and Margolies. This is a consolidated oral
5 hearing for *Apple, Inc. v. MPH Technologies Oy*, IPR 2019-00819 and IPR
6 2019-00820.

7 I'd like to begin by having Petitioner introduce who is here today on
8 his behalf.

9 MR. BLOCK: May it please the Board, my name is Daniel Block
10 from the law firm of Sterne Kessler Goldstein and Fox speaking today on
11 behalf of Petitioner Apple. With me today is lead counsel Michael Specht
12 and co-counsel Tim Tang, also both from Sterne Kessler.

13 JUDGE HAMANN: Counsel, I think you cut out at the end. If you
14 could, I heard Mr. Specht. Mr. Block?

15 Mr. Block? It seems we're having some technical difficulties.
16 Let's --

17 MR. ROGERS: No, he's still on, Judge. It looks like you muted his
18 microphone.

19 JUDGE HAMANN: Okay, thank you. Well, then if we could, let's --
20 if Patent Owner could please introduce who is on the line today on its behalf.

21 I think you may need to --

22 MR. ROGERS: Yeah, his mic is also muted. Hold on. Let me send
23 them an email.

24 MR. BLOCK: Your Honor, is this -- this is Mr. Block. Can you hear
25 me?

1 JUDGE HAMANN: Yes, let's start this back with you, Mr. Block.
2 Forgive me. I heard Mr. -- yourself and Mr. Specht, and then the last
3 statement I did not hear.

4 MR. BLOCK: Yes. Apologies. I'm not sure what happened there.
5 Yes, so lead counsel Mr. Specht. Also with me today is Tim Tang, also
6 from Sterne Kessler.

7 JUDGE HAMANN: Okay.

8 MR. BLOCK: I will be doing the bulk of the argument today and
9 then Mr. Tang will be doing a portion of the argument.

10 JUDGE HAMANN: Okay, thank you. And for Patent Owner, if
11 Patent Owner could please introduce who is on the for its behalf today.

12 MR. SCHREINER: Good morning, Your Honor. My name's
13 Stephen Schreiner. I'm here on behalf of Patent Owner, MPH Technologies.
14 And I'm joined in person by my colleague Jim Carmichael.

15 JUDGE HAMANN: Good morning to everyone. Let me start off
16 since we've already had some technical challenges, if we could all endeavor
17 to try to mute ourselves when we are not speaking, and then, of course, make
18 certain that we unmute ourselves when we begin to speak again.

19 Also, we need to, to the extent, demonstratives being referred to, you
20 should certainly each time identify it by number, so that will help the record
21 as well as us follow it along today.

22 Now, per the oral hearing order, each side has 75 minutes in total for
23 their arguments and any rebuttal or sur-rebuttal. In addition, Petitioner,
24 Mr. Tang is a LEAP practitioner and 15 additional minutes have been
25 allotted for 90 minutes to Petitioner.

1 I also want to let you know that there were requests for the public to
2 participate via a dial-in number, so they may also be listening in.

3 So, with that, let me begin. Petitioner bears the burden on
4 patentability, so Petitioner will begin his arguments. Patent Owner will then
5 respond. To the extent that Petitioner has reserved time for rebuttal, that
6 rebuttal would occur. And then Patent Owner will conclude with a
7 surrebuttal.

8 So, with that being said, let's begin with Petitioner, please.

9 MR. BLOCK: Thank you, Your Honor. Good morning.

10 JUDGE HAMANN: Good morning.

11 MR. BLOCK: May it please the Board --

12 JUDGE HAMANN: Yes. And if you could identify, I'm sorry, how
13 much rebuttal time you want to reserve.

14 MR. BLOCK: Absolutely, Your Honor. I was just getting to that.
15 So, first of all, may it please the Board, what I'd like to reserve is 30 minutes
16 for rebuttal time.

17 JUDGE HAMANN: Thank you.

18 MR. BLOCK: So, as I mentioned --

19 JUDGE HAMANN: Okay, we'll --

20 MR. BLOCK: Go ahead.

21 JUDGE HAMANN: Yeah, we'll try to, you know, give you a
22 warning before the end of your 60 minutes during your initial presentation,
23 but, you know, please, to the extent you can track your time yourself, that
24 would be helpful.

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