

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ROKU, INC.,  
Petitioner,

v.

UNIVERSAL ELECTRONICS, INC.,  
Patent Owner.

---

IPR2019-01612 (Patent 7,589,642 B1)  
IPR2019-01613 (Patent 8,004,389 B1)  
IPR2019-01614 (Patent 9,911,325 B2)

---

Record of Oral Hearing  
Held Virtually: Tuesday, December 22, 2020

---

Before PATRICK M. BOUCHER, MINN CHUNG and  
SHARON FENICK, *Administrative Patent Judges*.

IPR2019-01612 (Patent 7,589,642 B1)  
IPR2019-01613 (Patent 8,004,389 B1)  
IPR2019-01614 (Patent 9,911,325 B2)

## A P P E A R A N C E S

### ON BEHALF OF THE PETITIONER:

LESTIN KENTON, ESQUIRE  
TIMOTHY TANG, ESQUIRE  
STERNE KESSLER GOLDSTEIN & FOX  
1100 New York Ave, NW Suite 600  
Washington D.C., 20005  
(202) 371-2600

### ON BEHALF OF THE PATENT OWNER:

BENJAMIN PLEUNE, ESQUIRE  
NICHOLAS TSUI, ESQUIRE  
ALSTON & BIRD  
101 South Tyron Street, Suite 4000  
Charlotte, North Carolina 28280  
(704) 444-1111

### ALSO PRESENT:

Alexander Tsehay, Host

The above-entitled matter came on for hearing on Tuesday, December 22, 2020, commencing at 11:07 a.m. MST, by video/by telephone.

IPR2019-01612 (Patent 7,589,642 B1)  
IPR2019-01613 (Patent 8,004,389 B1)  
IPR2019-01614 (Patent 9,911,325 B2)

1                   P R O C E E D I N G S

2                   \* \* \* \*

3                   MR. TSEHAY: All parties are connected.

4                   JUDGE BOUCHER: Okay. Good afternoon.

5                   This is a consolidated trial hearing for three  
6                   inter partes reviews. IPR2019-01612, which concerns  
7                   U.S. Patent No. 7,589,641. IPR2019-01613, which  
8                   concerns U.S. Patent No. 8,004,389. And  
9                   IPR2019-01614, which concerns U.S. Patent No.  
10                  9,911,325.

11                  In each of the three reviews the  
12                  Petitioner is Roku, Inc., and the Patent Owner is  
13                  Universal Electronics, Inc.

14                  I am Patrick Boucher. Also joining me are  
15                  Judges Chung and Fenick. At this time, we would  
16                  like counsel to introduce yourselves as well as  
17                  anyone else you may have with you.

18                  Petitioner, if you could introduce  
19                  yourself, please.

20                  MR. KENTON: Yes. Good afternoon, Your  
21                  Honors. I am Lestin Kenton from the firm Sterne  
22                  Kessler Goldstein & Fox for Roku, Inc., and here  
23                  with me are my colleagues John Wright, and Timothy  
24                  Tang also.

25                  JUDGE BOUCHER: Okay. Thank you

IPR2019-01612 (Patent 7,589,642 B1)

IPR2019-01613 (Patent 8,004,389 B1)

IPR2019-01614 (Patent 9,911,325 B2)

1 Mr. Kenton.

2 And for the Patent Owner, if you could  
3 introduce yourself, please.

4 MR. PLEUNE: Yes, Your Honor. Ben Pleune  
5 on behalf of Patent Owner and Universal  
6 Electronics, Inc., from Alston & Bird. And also  
7 joining me on an audio line is Nick Tsui, also of  
8 Alston & Bird.

9 JUDGE BOUCHER: Okay. Thank you, Mr.  
10 Pleune.

11 Before we begin, I want to note that a  
12 public audio line was requested and granted for  
13 this hearing. I don't expect that we'll be  
14 discussing any confidential information, but if  
15 that is incorrect it's incumbent upon the parties  
16 to notify the Panel in case action needs to be  
17 taken.

18 A full transcript of the hearing will  
19 become part of the record in the proceeding in due  
20 course.

21 As you're aware, this is entirely  
22 video-hearing. We ask generally that people keep  
23 themselves on mute unless speaking to minimize  
24 distractions. And to help the court reporter we  
25 ask that you try to remember to identify yourself  
26 before speaking.

IPR2019-01612 (Patent 7,589,642 B1)

IPR2019-01613 (Patent 8,004,389 B1)

IPR2019-01614 (Patent 9,911,325 B2)

1           Every member of the Panel has a copy of  
2           the Demonstrative Exhibits that were filed by both  
3           sides. In addition to copies of the  
4           Demonstratives, each member of the Panel has  
5           access to the entire record of the proceeding in  
6           case you choose to refer to something that is in  
7           the record but not on one of your slides.

8           When conducting your presentation, please  
9           take care to refer to the slide number, exhibit,  
10          or page number that you're discussing for the  
11          record. Not only will this make it easier for us  
12          to follow your presentation, it will help with  
13          clarity in the transcript.

14          On Friday last week the Panel held a  
15          pre-hearing conference with the parties. One  
16          issue that remains outstanding is Patent Owner's  
17          request to file a motion to submit supplemental  
18          information in the form of a rebuttal expert  
19          report of Stewart Lipoff in a related  
20          ITC proceeding. The Panel has decided to defer  
21          ruling on that request until after the oral  
22          hearing.

23          As you know from our trial order, each  
24          party has a total of 90 minutes to present its  
25          argument. A request by Petitioner under the  
26          Board's Legal Experience and Advancement Program

# 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.