

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:

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ON BEHALF OF THE PATENT OWNER:

BENJAMIN PLEUNE, ESQUIRE
NICHOLAS TSUI, ESQUIRE
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Charlotte, North Carolina 28280
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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)
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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)
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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)

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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

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