UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

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IPR2020-00023
Patent 6,467,088 B1

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Record of Oral Hearing
Held Virtually: January 15, 2021

Before SALLY C. MEDLEY, MIRIAM L. QUINN, and
SCOTT RAEVSKY, *Administrative Patent Judges.*

IPR2020-00023
Patent 6,467,088 B1

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

    BRETT MANGRUM, ESQ.
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    The above-entitled matter came on for hearing on Friday, January 15, 2021, commencing at 10:59 a.m. EST, by video/by telephone.

1	P R O C E E D I N G S
2	- - - - -
3	JUDGE QUINN: Okay. Let's get on the record now
4	then. This hearing is for Microsoft Corporation v. Uniloc
5	2017, LLC, Case number IPR 2020-23 concerning patent number
6	6,467,088. With me are Judges Sally Medley and Scott Raevsky.
7	And I am Judge Miriam Quinn. Today's hearing provides for
8	each party to have argument for 45 minutes. Each may
9	reserve time for rebuttal. Let's start with petitioner. Can
10	you please state your appearance for the record?
11	MR. TODDY: Good morning, Your Honor. Derrick
12	Toddy here on behalf of petitioner Microsoft Corporation.
13	JUDGE QUINN: Welcome Mr. Toddy. Do you have
14	anybody else on your side?
15	MR. TODDY: No one else appearing, Your Honor.
16	JUDGE QUINN: Okay. Thank you. And now for patent
17	owner?
18	MR. MANGRUM: Good morning, Your Honors. This is
19	Brett Mangrum. I will be speaking for patent owner Uniloc
20	today. With your permissions also I will present in a seated
21	position today so that I could stay on camera frame. And I would
22	also --
23	JUDGE QUINN: Yes, that's fine.
24	MR. MANGRUM: Okay. I would also like to announce
25	that Steve Peterson, in-house counsel for patent owner, is
26	also listening on the line, just in a listening function.

1   JUDGE QUINN: Okay. Also, too, we want to alert

2   the parties that we were informed that this hearing also is

3   available to the public and we may have also members of the

4   public attending. If there's any issues with that I would

5   need to hear that right now before we begin. Is there any

6   issue with that, Mr. Toddy?

7   MR. TODDY: No objection from petitioner, Your

8   Honor.

9   JUDGE QUINN: Okay.

10   MR. MANGRUM: None from patent owner.

11   JUDGE QUINN: Okay.

12   MR. MANGRUM: None from patent owner, Your Honor.

13   JUDGE QUINN: All right. So, Mr. Toddy, you have

14   45 minutes and I just need to know before we start your timer

15   how many minutes would you like for your rebuttal?

16   MR. TODDY: Your Honor, we would like to reserve 15

17   minutes.

18   JUDGE QUINN: Okay. Fifteen. All right. You may

19   start whenever you're ready.

20   MR. TODDY: Thank you, Your Honor. May it please the

21   Board, Derrick Toddy here on behalf of petitioner Microsoft

22   Corporation. We're here today to discuss the 088 patent which

23   is directed to a reconfiguration manager for software updates.

24   This reconfiguration manager as described in the abstract,

25   which you can find on Slide 4, at a high level receives a

26   request, from that request determines components that are

1   needed, and determines from information in the request

2   identifiers for additional components that are currently

3   implemented on a user's device.

4   Then it compares those with two lists. Looking at Slide

5   5 and Figure 1 of the 088 patent, those lists are described

6   within the patent -- within the claims as known acceptable or

7   known unacceptable configurations while Figure 1 refers to

8   them as known good or known bad configurations. And the

9   figure there shows a dashed line for known bad configuration

10   and a solid line for known good configurations.

11   Based on the comparison of this information that was

12   provided in the requests with these two lists, the known good

13   list and the known bad list, the reconfiguration manager then

14   generates information and sends it back either approving or

15   denying a request for an upgrade. That quite simply, as shown

16   on Slide 6, is reflected in the independent claims of the 088

17   patent. Shown on Slide 6 is Claim 1.

18   And the only element that's really at issue here is the

19   highlighted Element 1.4 that involves the comparison of the

20   determined component, which again is the component that is

21   determined to be needed for the upgrade, and the information

22   specifying at least one additional component. Those are

23   components that are already on the user's computer, the user's

24   existing configuration, with again at least one of a lists of

25   known acceptable and known unacceptable configurations. Those

26   are again the known good and the known bad lists. That's the

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