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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BEFORE HONORABLE CATHY ANN BENCIVENGO, JUDGE PRESIDING

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BELL NORTHERN RESEARCH, LLC,,)	
)	
Plaintiff,)	CASE NO. 18CV2864-CAB-BLM
)	
vs.)	SAN DIEGO, CALIFORNIA
)	
LG ELECTRONICS INC., LG)	THURSDAY, JANUARY 16, 2020
ELECTRONICS U.S.A., INC., and)	
LG ELECTRONICS MOBILE)	
RESEARCH U.S.A., LLC,)	
)	
Defendants.)	
-----)	

STENOGRAPHER'S TRANSCRIPT OF PROCEEDINGS
CLAIMS CONSTRUCTION HEARING

Proceedings reported by stenography, transcript produced by
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16 Also Present: Afzal Dean, Bell Northern Research
17 John Veschi, Bell Northern Research
18 Kristen Choi, LG

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1 San Diego, California; Thursday, January 16, 2020; 9:00 a.m.

2 (Case called)

3 MS. ABDULLAH: Sadaf Abdullah with the law firm
4 Skiermont Derby on behalf of Bell Northern Research. With me
5 is my partner, Mieke Malmborg, and my colleague, Steve Udick,
6 and I would also like to introduce to your Honor my client,
7 Afzal Dean, president of Bell Northern Research, and Mr. John
8 Veschi, who is a board member of BNR.

9 MR. McKEON: Good morning, your Honor. Mike McKeon of
10 Fish & Richardson representing LG Electronics. With me today
11 is Ms. Joanna Fuller, Andy Schwentker, and Ms. Laura Whitworth.
12 And our client representative today, your Honor, from Seoul is
13 Ms. Kristen Choi.

14 THE COURT: Thank you. Good morning.

15 All right. We are here for your claim construction
16 and motions for related claim construction and, therefore,
17 claims of indefiniteness. With regard to the claim
18 constructions, there are two patents at issue and five claim
19 terms. You have provided an outline of how you want to
20 proceed. The Court is fine with that, so the floor is yours.
21 Ms. Abdullah.

22 MS. ABDULLAH: Thank you, your Honor. If I may, may I
23 submit to the Court printed copies of our tutorial, as well as
24 I have the presentation on USB because there's some animations
25 that won't work if you print them.

1 THE COURT: All right.

2 MS. ABDULLAH: U.S. Patent Number 7,945,285 which
3 we'll refer to as either the '285 patent or the Cao patent is
4 entitled Integrating a Digital Encoded-Audio Bit Stream Player
5 in a Radio-Frequency Telephone Handset. Now for this patent,
6 we're going to take you back to November 1999 which is the date
7 that the priority application to which this patent claims
8 priority was filed.

9 I have up on the screen here the family tree which is
10 going to become relevant later on, but just for illustrative
11 purposes, the original application which issued as Patent '284
12 was filed November 23rd, 1999. There was a continuation after
13 that that resulted in the '363 patent. And the Cao patent, the
14 '285 patent, is a continuation of that that issued on May 17th,
15 2011.

16 The prior art problem that is described in the '285
17 patent is that essentially users have a need and a use for a
18 number of portable devices, and these portable devices are
19 useful but there's a point at which a user has to decide
20 between which portable devices to carry around at any one time.
21 And so the example given here is that you might want to have a
22 telephone and you might also want to be listening to music and
23 you might also not want to miss calls coming in when you're
24 listening to music.

25 This particular embodiment that is discussed here, or

1 this problem, is in the context of cordless phones. The patent
2 though, as we'll see, and the particular claim that we're going
3 to be discussing is drawn to RF telephone handsets. So again,
4 what we're looking at as an example is that you might have a
5 cell phone and then you have to carry around your MP3 player.
6 Now In 1999 that was after -- I have the iPod up to the screen
7 here. The iPod didn't actually come out until a couple of
8 years after, but --

9 THE COURT: You couldn't find an MP3 player?

10 MS. ABDULLAH: Exactly. Around 1999, they were
11 starting to get to somewhat popular. You had the Walkman
12 before that. This is around the time when people are starting
13 to switch more to those type of MP3 players.

14 And so the solution that Cal delivers in the '285
15 patent is one portable device for both the telephony and other
16 functions. Figure 1 in the patent is a block diagram that
17 shows an example of what that might be. You have in this
18 example a cordless phone that has an MP3 player built into it.

19 And here is Claim 1. Now Claim 1 is obviously very
20 lengthy. A lot of what these limitations talk about are kind
21 of the same events and things that are happening, but each
22 limitation or each set of limitations might dig more into
23 different pieces of the invention. So we're going to sort of
24 take it one by one. We might go over some ground a few times
25 just to kind of dig into the different components and parts of

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