

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO. LTD., and APPLE, INC.,
Petitioner,

v.

SOLAS OLED LTD.,
Patent Owner.

IPR2020-00140
Patent 6,072,450

Record of Oral Hearing
Held: February 9, 2021

Before SALLY C. MEDLEY, JESSICA C. KAISER, and
JULIE HEANEY, *Administrative Patent Judges*.

IPR2020-00140
Patent 6,072,450

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ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Tuesday, February 9, 2021, commencing at 1:00 p.m., EDT, at the U.S. Patent and Trademark Office, by video/by telephone.

P R O C E E D I N G S

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2 JUDGE HEANEY: All right. Good afternoon, counsel. I
3 only see one attorney present. Is that because we're in the
4 speaker mode?

5 TECHNICAL STAFF: That is correct, Judge.

6 JUDGE HEANEY: Okay. Thank you Alex. This is the
7 hearing for IPR2020-00140, Samsung Display Co., v. Solas Oled,
8 Ltd. Would the parties please introduce counsel beginning with
9 Petitioner's counsel.

10 MR. GARR: Yes. Good afternoon, Your Honors. Can you
11 see and hear me?

12 JUDGE HEANEY: We can.

13 MR. GARR: Oh, great. I'm David Garr from the law firm
14 of Covington & Burling here in D.C., lead counsel for Petitioner.
15 I'm joined on video by my Covington colleague and back-up
16 counsel, David Cho and with our thanks to the Board, he's
17 participating in this hearing as a LEAP practitioner and he and I
18 plan to split the argument if that's acceptable.

19 JUDGE HEANEY: Yes. The --

20 MR. GARR: Also with me on the audio line is --

21 JUDGE HEANEY: Go ahead.

22 MR. GARR: Okay, are my Covington colleagues Peter
23 Chen, Jeff Lerner and Jared Frisch and also on the phone line
24 from real party in interest Samsung Electronics America, Inc., is

1 Daniel Girdwood who's VP and head of ITC Litigation at SEA.

2 JUDGE HEANEY: Thank you. And Patent Owner?

3 MR. RUBIN: Good afternoon, Your Honors. Can you hear
4 me?

5 JUDGE HEANEY: Yes.

6 MR. RUBIN: Thank you. My name is Neil Rubin with the
7 law firm of Russ August & Kabat. With me are my colleagues
8 from Russ August & Kabat, Marc Fenster and Reza Mirzaie, and
9 we represent the Patent Owner. Mr. Fenster will be arguing
10 today.

11 JUDGE HEANEY: Thank you. And Mr. Garr, have you --
12 could you tell us how you and your colleague, Mr. Cho, are
13 going to be splitting the argument?

14 MR. GARR: Yes. There are four main disputes. I'll do the
15 first two and he will do the second two.

16 JUDGE HEANEY: Great. Thank you. All right. So we
17 have approved Petitioner's LEAP practitioner application and
18 because of that Petitioner will have 60 minutes to present
19 argument today. Patent Owner will have 45 minutes to present
20 argument. Petitioner will proceed first to present its case with
21 respect to the challenged claims and grounds for which the Board
22 instituted trial and may reserve some of its argument time to
23 respond to arguments presented by Patent Owner. After that
24 Patent Owner will respond to Petitioner's presentation and may
25 reserve argument time for surrebuttal. Petitioner, do you want to

1 reserve time for rebuttal?

2 MR. GARR: Yes. We'd like to reserve 20 minutes for
3 rebuttal, please.

4 JUDGE HEANEY: And that's on all issues?

5 MR. GARR: Yes.

6 JUDGE HEANEY: Okay. And Patent Owner, would you
7 like to reserve time for surrebuttal?

8 MR. FENSTER: Yes, Your Honors. This is Marc Fenster
9 for the Patent Owner and we'll reserve 15 minutes for rebuttal,
10 please.

11 JUDGE HEANEY: Great. Okay. A couple of other items
12 I'd like to clarify about remote hearings before we begin. First,
13 our primary concern is your right to be heard. If at any time
14 during the proceeding you encounter technical or other
15 difficulties that you feel will fundamentally undermine your
16 ability to adequately represent your client please let us know
17 immediately, for example by contacting the team members who
18 provided you with connection information.

19 Second, in order to create the best record for everybody,
20 when you're not speaking please mute. Third, each time you
21 speak, before you begin speaking please identify yourself. This
22 will help the court reporter who is on the audio line to prepare an
23 accurate transcript. Fourth, we do have the entire record
24 including the demonstratives that were filed yesterday and today
25 and when referring to your demonstratives or any paper or

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