

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASETEK DANMARK A/S,
Petitioner,

v.

COOLIT SYSTEMS, INC.,
Patent Owner.

IPR2020-00825
Patent 10,274,266 B2

Record of Oral Hearing
Held Virtually: Tuesday, June 22, 2021

Before FRANCES L. IPPOLITO, SCOTT C. MOORE, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

IPR2020-00825
Patent 10,274,266 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

ERIC RACITI
ARPITABHATTACHARYYA
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
3300 Hillview Avenue
2nd floor
Palo Alto, CA 94304-1203
(650) 849-6600

ON BEHALF OF THE PATENT OWNER:

REUBEN CHEN
DUSTIN KNIGHT, ESQUIRE
COOLEY, LLP
3175 Hanover Street
Palo Alto, CA 94304-1130
(650) 843-5480

LLOYD L. POLLARD II
GANZ POLLARD LLC
P.O. Box 2200
163 SE 2nd Avenue
Hillsboro, Oregon 97123
(503) 844-9009

The above-entitled matter came on for hearing on Tuesday, June 22,
2021, commencing at 12:40 p.m. EST, by video/by telephone.

P R O C E E D I N G S

JUDGE MOORE: Welcome. I'm judge Scott Moore. I'm joined by my colleagues, Judges Frances Ippolito and Brent Dougal, and we're here for the oral hearing in IPR 2020-00825, Asetek Denmark A.S. v. CoolIT Systems, Incorporated v. U.S. Patent 10,274,266 B2. Let's begin this hearing by taking appearances. First, who's here for petitioner?

MS. BHATTACHARYYA: Arpita Bhattacharyya for Petitioner Asetek Denmark and I am joined by lead counsel, Eric Raciti.

MR. RACITI: Good morning, Your Honors.

JUDGE MOORE: And who is here for Patent Owner?

MR. CHEN: Good morning, Your Honor. Reuben Chen from Cooley LLP on behalf of Patent Owner, CoolIT Systems, Inc., and with me is lead counsel Lloyd Pollard, and also my colleague Dustin Knight.

JUDGE MOORE: Welcome to you as well.

So as you know, this is a video hearing. Hopefully, we won't have any technical difficulties. This morning's hearing went smoothly but just remind everyone that if you do have any difficulties please let us know immediately so that we can figure out a workaround.

Please recall that we have copies of your demonstratives but do be careful to identify the

demonstratives you're speaking about by page number because it makes it easier for us to follow along.

Please also be aware that a member of the public has requested to listen in to today's hearing. I understand that there's a motion for a protective order. It appeared to the panel that this motion involved a relatively discrete issue involving certain provisions of an agreement so it seems like it would be relatively easy to work around during the hearing but I just wanted to remind the parties that the hearing is public, a member of the public is likely listening in today, and that the transcript also will be public so please be careful when -- if the parties choose to argue the issues relating to that under seal exhibit. Please be careful about what you say during the hearing.

Each party has been granted a total of 45 minutes of argument time during this hearing. I know that the hearing order said 30 minutes per side but we had a discussion before the beginning of this hearing with counsel off the record and the parties have agreed to 45 minutes per side. So we'll begin with Petitioner which will argue its case-in-chief. Petitioner may reserve time for rebuttal if it wishes to do so. We'll then turn to Patent Owner who will present its arguments regarding the patentability of the challenged claims and Patent Owner may also argue its motion to exclude if it wishes to do so. We will then go back to Petitioner which will be able to use any of its rebuttal time

to rebut Patent Owner's responsive arguments or to respond to arguments on the motion to exclude. And then if Patent Owner has elected to reserve any sur-rebuttal time we will go back to Patent Owner.

Judge Ippolito will be watching the clock and will try to give you a warning when you're running out of time but please recall that each party is responsible for keeping its own time. Also, just a reminder, please don't make objections while the other party is speaking. If you have any objections please raise them afterwards during your own argument time. Does either party have any questions about these instructions starting with petitioner?

MS. BHATTACHARYYA: Nothing from Petitioner, Your Honor.

JUDGE MOORE: Patent Owner?

MR. CHEN: Nothing from Patent Owner. Thank you, Your Honor.

JUDGE MOORE: Okay. Who will be arguing on behalf of Petitioner?

MS. BHATTACHARYYA: I will be, Your Honor, Arpita Bhattacharyya.

JUDGE MOORE: How much rebuttal time would you like to reserve?

MS. BHATTACHARYYA: I would like to reserve five minutes for rebuttal.

JUDGE MOORE: Thank you. You may begin your

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