

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUALCOMM INCORPORATED and
ZYXEL COMMUNICATIONS CORPORATION,
Petitioners,

v.

UNM RAINFOREST INNOVATIONS,
Patent Owner.

IPR2021-00375
Patent 8,265,096 B2

Record of Oral Hearing
Held Virtually: Thursday, May 12, 2022

Before KRISTEN L. DROESCH, BARBARA A. PARVIS, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

IPR2021-00375
Patent 8,265,096 B2

A P P E A R A N C E S

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The above-entitled matter came on for hearing on Thursday, May 12, 2022, commencing at 9:03 a.m. EST, by video/by telephone.

1 P R O C E E D I N G S

2 JUDGE DROESCH: Good morning, my name is Judge Droesch, I am
3 joined by my colleagues Judge Boudreau and Judge Parvis. We are here for
4 the oral arguments for IPR2021-00375, IPR2021-00377, and IPR2021-
5 00582.

6 We're going to hear the oral argument for
7 IPR2021-00375 first. We'll follow up with a short break,
8 then, we'll hear the argument for IPR2021-00377, followed by
9 a short break, and then, the last -- the last argument for
10 IPR2021-00582.

11 I mentioned at this point that we'll take at
12 least five minutes' break between the hearings, and then,
13 if we're running ahead on time, we may be able to go a
14 little bit longer break.

15 So we can begin the hearing for IPR2021-00375.
16 Just a few reminders before we begin. Per the order,
17 Petitioner is allotted 45 minutes for its presentation.
18 Petitioner will make its presentation first, and may
19 reserve some of its time for rebuttal, but that time may
20 not exceed more than 22 minutes. Following Petitioner's
21 presentation, Patent Owner will make its presentation, and
22 also will have 45 minutes. And the time for rebuttal may
23 not exceed 22 minutes.

24 And then, a few more quick reminders. To aid in
25 the preparation of the hearing transcript, please try to

1 identify yourself before speaking, and to identify the
2 demonstrative slides by their slide number and any
3 exhibits by the exhibit number, as well as the papers.

4 Can counsel for Petitioner please make their
5 appearances.

6 MR. FORBES: Good morning, Your Honor. Michael
7 Forbes of Reed Smith in Houston on behalf of Petitioner.

8 JUDGE DROESCH: Okay. Thank you.

9 Counsel for Patent Owner, can you please make
10 your appearance.

11 I'm not sure if somebody is muted or not.

12 MR. KESAN: Sorry about that.

13 Yes, Your Honor. This is Jay Kesan for the
14 Patent Owner from DiMuroGinsberg.

15 JUDGE DROESCH: Okay. Thank you.

16 All right. Counsel for Petitioner, please begin
17 when you're ready and let us know if you'd like to reserve
18 some time for rebuttal.

19 MR. FORBES: Thank you, Your Honor. We would
20 like to reserve eight minutes for rebuttal, and I would
21 like to share my screen with the demonstratives. Is that
22 acceptable?

23 JUDGE DROESCH: That's fine.

24 MR. FORBES: Thank you.

25 MR. KESAN: And Your Honor, I would also like to
26 reserve ten minutes.

1 JUDGE DROESCH: I'm sorry, counsel for Patent
2 Owner, did you say eight minutes or ten minutes?

3 MR. KESAN: Ten. I would like to reserve ten
4 minutes for rebuttal and --

5 JUDGE DROESCH: Okay. Great. I just wanted to
6 make sure I understood you correctly.

7 MR. KESAN: Thank you.

8 JUDGE DROESCH: All right. Thank you.

9 MR. FORBES: If everyone can see that on the
10 screen, then, I'll proceed.

11 JUDGE DROESCH: Okay. Yes, I can see it, so I
12 believe everybody else can see it, so go ahead when you're
13 ready.

14 MR. FORBES: Thank you, Your Honor.

15 Good morning, Your Honors. Michael Forbes of
16 Reed Smith in Houston, on behalf of Petitioner.

17 Jumping to slide 2 of Petitioner's
18 demonstratives, which has been filed as Ex. 1040.

19 The issues we intend to address today are whether
20 Talukdar is prior art, which it applies to both claims in
21 the Petition as well as to the motions to amend.

22 Ground 1, whether Claims 1 through 4, 6 and 7 are
23 invalid over Talukdar and Li. Which on the preliminary
24 record, the Board found was more likely than not.

25 Ground 2, whether Claim 8 is invalid over
26 Talukdar and Nystrom, which on the preliminary record the

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