

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

KOSS CORPORATION,
Patent Owner.

IPR2021-00381
Patent 10,491,982

Record of Oral Hearing
Held Virtually: April 5, 2022

Before DAVID C. MCKONE, GREGG I. ANDERSON, and
NORMAN H. BEAMER, *Administrative Patent Judges*.

IPR2021-00381
Patent 10,491,982

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Tuesday, April 5, 2022, commencing at 1:00 p.m. EST, held by video/by telephone.

PROCEEDINGS

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(Proceedings begin at 1:00 p.m.)

JUDGE ANDERSON: Good morning, or afternoon, as the case may be.

This is the final hearing on IPR2021-00381.

Petitioner is Apple, Inc., and Koss Corporation is the owner of U.S. Patent No. 10,491,982.

Just a quick technical check. Counsel for petitioner, can you hear me?

MR. RENNER: Yes, Your Honor. This is Karl Renner.

JUDGE ANDERSON: Just --

MR. RENNER: And David, can you hear him on the video?

JUDGE ANDERSON: Okay.

MR. HOLT: Yes.

JUDGE ANDERSON: Okay. Well, I've had a little bit of a technical issue here so I want to make sure everybody can hear me.

Mr. Knedeisen, can you hear me as well?

MR. KNEDEISEN: Yes, I can hear you. Can you hear me?

JUDGE ANDERSON: Yes, I do. Okay.

With the technical issues resolved, let's proceed.

Administratively, I am Judge Anderson. We are joined in this hearing with PTAB Judges McKone and Beamer.

1 We're all participating via teleconference so there
2 are some things to keep in mind.

3 Primarily is the need to identify the slides you're
4 using. I believe everybody's numbered them, so give us a
5 number, we all have a copy of your respective slide sets,
6 and we are able to follow along.

7 We also have copies of, I think, all -- for certain,
8 the most principal of the pleadings that have been filed.

9 Per our order, each party is going to have -- so you
10 can refer to the pleadings. That's what I'm saying to you.

11 Each party is going to have 60 minutes total to
12 present their argument. Petitioner has the burden to show
13 unpatentability and will go first, patent owner will follow,
14 and petitioner may reserve time to rebut patent owner, and
15 similarly, once the petitioner is through with its rebuttal,
16 if reserved, then patent owner may have whatever time is
17 asked for sur-rebuttal.

18 We don't have a timer, and that, for me, is a little
19 bit of an issue because I'm not a good multi-tasker, but I
20 will go ahead and make an effort. And I've asked Judges
21 McKone and Beamer to also assist me in keeping track of the
22 time, so we will have, hopefully, enough fire power to
23 actually tell you where you are in your reservation of time.

24 We didn't get any objections to the demonstratives,
25 for which I greatly appreciate your efforts in that if you
26 made any, so at this time let's get introductions formally

1 for the record, first starting with petitioner.

2 MR. HOLT: Good afternoon, Your Honor.

3 David Holt here on behalf of petitioner, Apple. I'm
4 also joined by lead counsel Karl Renner by audio.

5 JUDGE ANDERSON: Okay. We have had the pleasure
6 before, so that's great.

7 Patent owner, Mr. Knedeisen. Go ahead and introduce
8 yourself and whoever else is there for patent owner.

9 MR. KNEDEISEN: Yes. This is Mark Knedeisen of K&L
10 Gates for patent owner. With me in the room, not on the
11 Webex, are Ragae Ghabrial, Laurén Shuttleworth Murray, and
12 Brian Bozzo, all of K&L Gates, and all counsel of record, I
13 believe.

14 JUDGE ANDERSON: Okay. Very good.

15 Petitioner, as I just said, you're going to start,
16 so do you want to reserve any time for rebuttal?

17 MR. HOLT: Yes, Your Honor. I'd like to reserve 20
18 minutes, please.

19 JUDGE ANDERSON: 20 minutes. Okay. Give me a
20 moment to set that.

21 Okay. I am doing a start, and so you have your
22 hour, you're going to use 40 minutes right now, and then
23 you'll have 20 minutes left.

24 And we are beginning now. Please proceed.

25 MR. HOLT: May it please the Board, my name is David
26 Holt, and I'll be presenting on behalf of Petitioner Apple

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