

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOSE CORP.,
Petitioner,

v.

KOSS CORP.,
Patent Owner.

IPR2021-00680
Patent 10,469,934 B2

Record of Oral Hearing
Held: June 30, 2022

BEFORE: KARL D. EASTHOM, PATRICK R. SCANLON, and
DAVID C. McKONE, Administrative Patent Judges.

IPR2021-00680
Patent 10,469,934 B2

APPEARANCES

On Behalf of the Petitioner:

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Also Appearing:
Sylvia Gerukos
Nathan Speed, Esquire
Gregory Nieberg, Esquire

The above-entitled matter came on for hearing on Thursday,
June 30, 2022, commencing at 10:00 a.m. EST, by video/by telephone.

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

2 JUDGE EASTHOM: Good morning. This is
3 Judge Easthom. I also have Judges McKone and Scanlon
4 on the video link. This is Bose Corp. vs. Koss
5 Corp., IPR2021-00680, and it's US patent number
6 10469934B2.

7 Who do we have for petitioner?

8 MR. SPEED: Good morning, Your Honor. This
9 is Nathan Speed on behalf of petitioner, Bose
10 Corporation. I'm joined by my colleagues, Greg
11 Nieberg and Mike Radar.

12 JUDGE EASTHOM: Thank you. Mr. Nieberg
13 and Mr. Radar, can you identify yourselves just so
14 I've been -- for some reason your names aren't --

15 MR. RADAR: Your Honor, I --

16 JUDGE EASTHOM: -- they're not on my --

17 MR. RADAR: -- I'm Mike Radar.

18 JUDGE EASTHOM: Okay. Hi. Okay.

19 MR. NIEBERG: Hey. And I'm Greg Nieberg.
20 Hello.

21 JUDGE EASTHOM: Oh, okay. Thank you. Oh,
22 I see you. Okay. Welcome, Mr. Radar and Mr. Nieberg.

23 Now, who do we have for -- first of all,
24 Wait. Are -- who's going to be speaking today on --

1 MR. SPEED: -- It's going to --

2 JUDGE EASTHOM: -- behalf of the
3 petitioner?

4 MR. SPEED: Yeah. Your Honor, it's going
5 to be a combination of myself and Mr. Nieberg.

6 JUDGE EASTHOM: Okay. Great. Okay. And who do
7 we have for patent owner?

8 MR. KNEDEISEN: This is Mark Knedeisen from K&L
9 Gates for patent owner. And then I am with
10 Ms. Laurén Murray, also with K&L Gates.

11 JUDGE EASTHOM: Are you going to do most of the
12 speaking or are you both going to -- split that up
13 today?

14 MR. KNEDEISEN: I'll be doing most of the
15 speaking.

16 JUDGE EASTHOM: Thank you. Okay.

17 Well, welcome everyone. Just a few preliminary
18 remarks; as you all know from our hearing order this is
19 a -- basically a two-hour hearing each side, everyone
20 gets 60 minutes, but we'll have the LEAP practitioner,
21 I guess, Mr. Nieberg, he'll -- will have an extra 15
22 minutes if the patent owner -- if petitioner desires.

23 We want to thank you all for your flexibility
24 here in conducting this, because we know that this has
25 -- it's sort of typical now, but it hasn't been in the

1 past, but we want to make sure you all have the right
2 to be heard. And if at anytime during the proceeding
3 you have any kind of technical difficulties or any
4 kind of problems with your equipment, please let us
5 know. We'll immediately contact the team members who
6 helped you sign up here before.

7 Second, just please mute yourself when you're not
8 speaking. And when you need to speak, just
9 identify yourself. I think the video screen is
10 doing a good job of that.

11 And we also would like to let you --
12 remember that we have the demonstratives, so you don't
13 need to show them to us. But -- and when you refer to
14 them, please do so clearly and explicitly by slide or
15 page number, and just pause a few seconds after you
16 identify it so we can have time to jump to that slide.

17 And with that, petitioner, it's 10:03, so
18 why don't we get started?

19 MR. SPEED: Thank you, Your Honor.

20 So I'll start on behalf of the petitioner,
21 Bose. The plan -- our plan this morning is for me to
22 address the issue related to the independent claims,
23 and Mr. Nieberg will address the issues related to the
24 dependent claims. Our plan would be for me to spend
25 about a half hour on my issues and Mr. Nieberg would

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