

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

DAEDALUS BLUE, LLC,
Patent Owner.

IPR2021-00831
Patent 8,671,132 B2

Record of Oral Hearing
Held: Wednesday, August 10, 2022

Before SALLY C. MEDLEY, HYUN J. JUNG, and ARTHUR M. PESLAK,
Administrative Patent Judges.

IPR2021-00831
Patent 8,671,132 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Wednesday, August 10, 2022, commencing at 10:46 a.m. EST, at the U.S. Patent and Trademark Office, Madison Building-East Wing, 600 Dulany Street, 9th Floor, Alexandria, Virginia 22313.

PROCEEDINGS

1
2 JUDGE MEDLEY: So we're on the record, and this
3 is going to be a separate transcript. Just for -- for
4 everyone.

5 Good morning. This is the hearing for
6 IPR2021-00831, between Petitioner, Microsoft
7 Corporation, and Patent Owner, Daedalus Blue, involving
8 U.S. Patent Number 8,671,132.

9 I am Judge Medley, and with me are Judges Jung
10 and Peslak.

11 At this time, I'd like the parties to introduce
12 counsel for the record, beginning with Petitioner.

13 MR. BOBROW: Yes. Good morning again, Your
14 Honors. This is Jared Bobrow. I represent the
15 Petitioner, Microsoft Corporation.

16 JUDGE MEDLEY: Sorry, just one moment. I just
17 want to make sure that Judge Peslak can hear us. He
18 signaled that he wasn't able to.

19 Can you hear us? Are --

20 Okay. He still cannot hear us. Pat, do you
21 want to check what to do?

22 (Pause.)

23 JUDGE MEDLEY: All right. Can you hear us now?

24 Okay. Can --

25 THE TECHNICIAN: He should be able to hear.

26 JUDGE MEDLEY: Okay. Great. Thank you.

1 All right. Let's resume, then.

2 Patent Owner, could you please present or state
3 your name for the record, please.

4 MR. McNISH: Good morning, Your Honors. Kevin
5 McNish from McNish PLLC for Patent Owner, Daedalus Blue,
6 LLC. With me is Denise De Mory, from Bunsow De Mory,
7 LLP.

8 JUDGE MEDLEY: Thank you.

9 I'd like to remind the parties that this
10 hearing is open to the public, and a resulting
11 transcript will be available to the public.

12 Each party has 45 minutes total time to present
13 arguments. Petitioner will proceed first, and may
14 reserve some of its argument time to respond to
15 arguments presented by Patent Owner. Thereafter, Patent
16 Owner will respond to Petitioner's presentation and may
17 reserve argument time for surrebuttal.

18 Petitioner, do you wish to reserve some of your
19 time to respond?

20 MR. BOBROW: Yes, thank you, Your Honor. 15
21 minutes.

22 JUDGE MEDLEY: Okay. Thank you.

23 And Patent Owner?

24 MR. McNISH: Yes, Your Honor. I would like to
25 reserve 12 minutes for rebuttal -- surrebuttal.

26 JUDGE MEDLEY: All right. Thank you.

1 So we received an email regarding the parties'
2 objections to certain slides. We will take the
3 objections under advisement, so no need to repeat the
4 objections during the hearing.

5 We remind the parties that demonstratives are
6 not a mechanism for making the arguments, but are visual
7 aids to a party's oral presentations regarding arguments
8 and evidence previously presented and discussed in the
9 papers and exhibits of record.

10 Petitioner, you may proceed.

11 MR. BOBROW: Thank you, Your Honors.

12 There are a number of issues that have been
13 presented in the papers, and I would like to begin by
14 addressing a claim construction issue that came up in
15 the Patent Owner's response, and to which we replied.

16 And so I'd like to turn to beginning at slide
17 14. And the dispute relates to the construction of the
18 term, computing platform. And in the -- I believe it
19 was in the Patent Owner Preliminary Response, and
20 thereafter, the position by the Patent Owner, turning to
21 slide 15, was that, this phrase, computing platform, is
22 limited only to an operating system. That's it.
23 Nothing more is embodied or encompassed within that
24 phrase, computing platform. We submit that that
25 construction is in error, and that instead, a computing
26 platform includes a computer hardware as well as the

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