

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICRON TECHNOLOGY, INC.,  
Petitioner,

v.

VERVAIN, LLC,  
Patent Owner.

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IPR2021-01547 Patent 8,891,298 B2  
IPR2021-01548 Patent 9,196,385 B2  
IPR2021-01549 Patent 9,997,240 B2  
IPR2021-01550 Patent 10,950,300 B2

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Record of Oral Hearing  
Held: January 12, 2023

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Before STACEY G. WHITE, JON M. JURGOVAN, and  
STEVEN M. AMUNDSON, *Administrative Patent Judges*.

IPR 2021-01547 2021-01548 2021-01549 2021-01550  
Patent 8,891,298 B2 9,196,385 B2 9,997,240 B2 10,950,300 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF PATENT OWNER:

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The above-entitled matter came on for hearing, on Thursday, January 12, 2023, commencing at 10:00 a.m., EDT, at the U.S. Patent and Trademark Office, by video, before Julie Souza, Notary Public.

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P R O C E E D I N G S

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2 JUDGE JURGOVAN: Good morning everyone. We will now go on  
3 the record. This is the consolidated trial hearing for the following cases  
4 IPR 2021-01547 concerning U.S. Patent No. 8,891,298 B2, IPR 2021-01548  
5 concerning U.S. Patent No. 9,196,385 B2, IPR 2021-01549 concerning U.S.  
6 Patent No. 9,997,240 B2 and IPR 2021-01550 concerning U.S. Patent No.  
7 10,950,300 B2. The date is January 12, 2023 at 10 a.m., Eastern. On the  
8 panel today are Lead APJ Stacey White, APJ Steven Amundson and myself  
9 Jon Jurgovan. Who will be speaking on behalf of Petitioner in each case,  
10 please?

11 MR. LANG: Good morning, Your Honors. Jason Lang. On behalf  
12 of Micron. I will be presenting the arguments for the first two sessions, the  
13 '298, '385 and the '240 and my colleagues here, Jared Bobrow, will be  
14 presenting the arguments for the final session, the '300.

15 JUDGE JURGOVAN: Thank you. And who will be speaking on  
16 behalf of Patent Owner in each case?

17 (Pause.)

18 JUDGE JURGOVAN: I think we have a frozen frame. Mr. Mohan  
19 is not able to speak.

20 THE REPORTER: Off the record.

21 (Pause, due to technical difficulties.)

22 MR. WHITEHURST: -- from McKool Smith for the Patent Owner  
23 Vervain. I will be handling the first three patents today, the '298, '385 and

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2 JUDGE JURGOVAN: Okay, hold on a second. Let's go back on the  
3 record, please.

4 THE REPORTER: We're on the record. Please continue.

5 MR. WHITEHURST: So, Your Honor, to continue I will be handling  
6 the first three patents and my colleague, Arvind Jairam, will be handling the  
7 '300 patent and also we're pleased to have with us today the inventor of the  
8 four patents, Dr. Mohan Rao.

9 JUDGE JURGOVAN: Thank you. Okay. As stated in the Hearing  
10 Order, each party will have up to 60 minutes to present their arguments for  
11 IPR 2021-01547 and IPR 2021-01548. We'll then take a 30 minute break  
12 and then after the break each party will have up to 45 minutes to present  
13 their arguments for IPR 2021-01549 and 45 minutes to present for IPR  
14 2021-01550. Since the Petitioner bears the burden of proving its case by a  
15 preponderance of the evidence Petitioner will begin, followed by Patent  
16 Owner. Each party may reserve time for rebuttal limited to the opposing  
17 party's presentation. We cannot see your demonstratives or exhibits, so  
18 please identify page numbers of demonstratives, papers and exhibits as you  
19 speak so the Judges can follow along with your presentation. Please identify  
20 yourselves as you begin speaking so that the court reporter will know who  
21 you are.

22 After the hearing please remain on the line in case the court reporter  
23 has any questions to ask of you about terms that may have been used in the  
24 hearing or other matters not understood. As this hearing is public third  
25 parties may be listening on the line. Some of the information in this hearing

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1 has been designated as confidential. If for some reason you need to discuss  
2 confidential information, please let the Judges know in advance so that we  
3 can address the matter.

4 If at any time you experience technical difficulties that impair your  
5 ability to represent your client, please contact the phone number given to  
6 you to resolve the issues. Do the parties have any questions before we  
7 begin?

8 MR. LANG: Yes, Your Honor. Just so I heard you correctly you  
9 cannot see our screen if we share it?

10 JUDGE JURGOVAN: For the record, no we cannot. Assume we  
11 cannot.

12 MR. LANG: Okay.

13 JUDGE JURGOVAN: Thank you. Okay. So we'll begin now with  
14 the hearing for IPR 2021-01547 and IPR 2021-01548 and this will be a  
15 consolidated hearing transcript so all four IPR hearings will be in one  
16 transcript. Petitioner, you're to begin and how much time would you like to  
17 reserve for rebuttal?

18 MR. LANG: I want you to reserve around 15 minutes, Your Honor.

19 JUDGE JURGOVAN: Fifteen. Thank you. You may begin when  
20 you're ready

21 MR. LANG: I guess we're ready to begin, Your Honors.

22 So, to jump to the grounds slide No. 4. The main disclosures are at  
23 issue with respect to the two sets of grounds, the first set of grounds being  
24 Moshayedi, the second set of grounds being Sutardja. PO against both sets  
25 of grounds, they argued that one set of limitations, the hot block limitations,

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