

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

US ENDODONTICS LLC,

Petitioner,

-against-

GOLD STANDARD INSTRUMENTS, LLC,

Patent Owner.

Case No. PGR2015-00019

December 3, 2015

1:01 p.m.

T R A N S C R I P T
O F
P R O C E E D I N G S

B E F O R E:

TIMOTHY J. GOODSON, Lead
Administrative Patent Judge
JOSIAH C. COCKS,
Administrative Patent Judge
HYUN J. JUNG, Administrative
Patent Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

PATTERSON BELKNAP WEBB & TYLER LLP

Attorneys for Petitioner

1133 Avenue of the Americas

New York, New York 10036

BY: JEFFREY S. GINSBERG, ESQ.

jginsberg@pbwt.com

ABHISHEK BAPNA, ESQ.

abapna@pbwt.com

ROTHWELL, FIGG, ERNST & MANBECK

Attorneys for Patent Owner

607 14th Street, N.W.

Washington, DC 20005

BY: C. NICHOLE GIFFORD, ESQ.

ngifford@rfem.com

JOSEPH A. HYNDS, ESQ.

jhynds@rfem.com

STEVEN LIEBERMAN, ESQ.

slieberman@rfem.com

DEREK F. DAHLGREN, ESQ.

ddahlgren@rfem.com

Proceedings

1
2 HON. GOODSON: Hello. This is
3 the conference call in PGR2015-00019,
4 U.S. Endodontics versus Gold Standard
5 Instruments. This is Judge Goodson.
6 I have Judges Cocks and Jung on the
7 line with me.

8 Do we have counsel for
9 Petitioner on the line?

10 MR. GINSBERG: Yes, you do. This
11 is Jeff Ginsberg, lead counsel for
12 Petitioner and with me is backup
13 counsel, Abhishek Bapna.

14 HON. GOODSON: Mr. Ginsberg, will
15 you be doing the talking for
16 Petitioner today?

17 MR. GINSBERG: Yes, I will.

18 HON. GOODSON: Okay.

19 Do we have counsel for patent
20 owner on the line?

21 MS. GIFFORD: Yes, your Honor,
22 this is Nichole Gifford from Rothwell,
23 Figg, Ernst and Manbeck on behalf of
24 the patent owner and also with me
25 today is lead counsel Joseph Hynds,

Proceedings

1
2 backup counsel Steven Lieberman, and
3 Derek Dahlgren. I believe Mr.
4 Dahlgren and Mr. Lieberman have both
5 been -- filed motions for pro hac vice
6 that have not yet been ruled on.

7 HON. GOODSON: Thank you.

8 And Ms. Gifford, you'll be doing
9 the presentation for patent owner
10 today?

11 MS. GIFFORD: Yes, your Honor.

12 HON. GOODSON: And Mr. Ginsberg,
13 did you arrange for a court reporter
14 for the call today?

15 MR. GINSBERG: Yes, I did, your
16 Honor.

17 HON. GOODSON: And if you could
18 file the transcript as an exhibit when
19 it's available, that would be great.

20 MR. GINSBERG: Will do, your
21 Honor.

22 HON. GOODSON: Is there anyone
23 else on the call today who hasn't
24 already been announced?

25 THE COURT REPORTER: Yes, your

Proceedings

Honor, this is the court reporter.

HON. GOODSON: Anybody else?

Okay.

Mr. Ginsberg, we have your e-mail of December 1 stating the request for a reply brief in order to rebut a point in the preliminary response regarding whether the examiner made a clerical error in the notice of allowance.

Do you have anything else to add to that? Would you like to elaborate on the request?

MR. GINSBERG: Sure, your Honor.

For the court reporter, this is Jeff Ginsberg on behalf of Petitioner.

Per my e-mail from December 1, Petitioner requests leave to file a brief reply to patent owner's preliminary response dated November 19 which is identified as paper number fourteen.

As set forth in the petition, the petitioner maintains that the

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.