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CBM2014-00028, Paper 51; CBM2014-00029, Paper 37;
CBM2014-00030, Paper No. 31; CBM2014-00033,
Paper 46

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April 1, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BANK OF AMERICA, N.A., PNC FINANCIAL
SERVICES GROUP, INC., and PNC BANK, N.A.,
Petitioners,

v.

INTELLECTUAL VENTURES I, LLC,
and INTELLECTUAL VENTURES II, LLC,
Patent Owner.

Cases CBM2014-00028, CBM2014-00029,
CBM2014-00030, CBM2014-00033
Patent Nos. 8,083,137, 7,664,701, 7,603,382, 7,260,587

Held: March 2, 2015

Before THOMAS L. GIANNETTI, HYUN J. JUNG and GREGG I
ANDERSON, *Administrative Patent Judges*.

The above-entitled matter came on for hearing on Monday, March 2, 2015,
commencing at 10:10 a.m., at the U.S. Patent and Trademark Office, 600
Dulany Street, Alexandria, Virginia.

Cases CBM2014-00028, CBM2014-00029, CBM2014-00030,
CBM2014-00033; Patent Nos. 8,083,137, 7,664,701, 7,603,382, 7,260,587

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P R O C E E D I N G S

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JUDGE GIANNETTI: Good morning everyone. We are here for a final hearing in four covered business method patent reviews for CBM reviews. CBM2014-00028, 2014-00029 and 2014-00030, Bank of America, PNC Financial Services and PNC Bank versus Intellectual Ventures I, and the fourth CBM, 2014-00033, Bank of America versus Intellectual Ventures II.

The panel today is myself, Judge Giannetti. To my right is Judge Jung and appearing remotely, participating remotely from Denver is Judge Anderson on the screen to my left.

Let me begin by thanking the parties for their cooperation. This hearing was postponed from last Monday. We had a weather shutdown here in the USPTO. I appreciate the cooperation of parties in rescheduling the hearing to today.

Let me get appearances of counsel. Who is appearing today for the petitioner?

MR. STEINBERG: For the petitioner, I'm Donald Steinberg. With me to my right is Greg Lantier, who is admitted pro hac vice, and Monica Grewal as well.

JUDGE GIANNETTI: Welcome, counsel. Who will be making the presentation today, Mr. Steinberg?

Cases CBM2014-00028, CBM2014-00029, CBM2014-00030,
CBM2014-00033; Patent Nos. 8,083,137, 7,664,701, 7,603,382, 7,260,587

1 MR. STEINBERG: I will be presenting as to the 0028, 0030 and
2 0033 proceedings, and Mr. Lantier as to the 0029.

3 JUDGE GIANNETTI: And who is appearing for the patent owner
4 today?

5 MR. PETRI: Good morning, Your Honor. My name is Henry
6 Petri on behalf of the patent owner and with me here today is my partner,
7 James Murphy. And I will be speaking with respect to the 00029 and 00030
8 proceedings.

9 MR. KING: Good morning, Your Honor. I'm John King. I'll be
10 representing the patent owner and with me will be Ted Cannon.

11 JUDGE GIANNETTI: You'll have to speak up, Mr. King. In fact,
12 everybody will have to keep their voices up. We have Judge Anderson
13 appearing remotely. Make sure we try to keep close to the microphones. So
14 go ahead, Mr. King.

15 MR. KING: And with me is Ted Cannon and we'll be presenting
16 0028 and 0033.

17 JUDGE GIANNETTI: And we have Mr. Coulman on the
18 telephone line; is that correct?

19 MR. COULMAN: Yes, I'm here. Thank you.

20 JUDGE GIANNETTI: All right. So we have appearances. Let
21 me just make a comment about exhibits. We've received demonstratives
22 from both sides. The procedure that the panel has discussed and the
23 procedure that we are going to follow is that the demonstratives will not be
24 entered in the record unless otherwise ordered, but you can use them as aids
25 to your arguments here today. But I want to remind you that the official

1 record of the proceeding will be the transcript and not the exhibits.

2 Understood, counsel?

3 MR. STEINBERG: Yes.

4 JUDGE GIANNETTI: We have one hour per side. The petitioner
5 may reserve time for rebuttal to rebut arguments that are made by the patent
6 owner. You can either reserve time now or at the end of your presentation.

7 One other thing, if you do refer to your demonstrative presentation,
8 please make sure to identify the page number so that Judge Anderson can
9 follow along. He does not have access to the screen that you are seeing here
10 in the hearing room. So you'll have to identify the page numbers that you
11 are referring to in your presentation.

12 And just one other reminder. Please stay close to the microphone
13 so that we have the ability to hear you both here in the hearing room and
14 remotely with Judge Anderson.

15 Let me set the timer and then, Mr. Steinberg, you can proceed
16 when you are ready.

17 MR. STEINBERG: Thank you.

18 JUDGE GIANNETTI: Just give me a second here. We'll just use
19 the clock on the wall. Why don't you proceed. It's 10:16. Do you want to
20 reserve time now, Mr. Steinberg, or at the end?

21 MR. STEINBERG: The intent is to reserve about 15 minutes at
22 the end for rebuttal. We'll see how this plays out.

23 JUDGE GIANNETTI: I'll try to give you a warning when you get
24 close to that.

25 MR. STEINBERG: Thank you, very much.

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