

[trials@uspto.gov](mailto:trials@uspto.gov)

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

571-272-7822

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

APPEARANCES:

ON BEHALF OF THE PETITIONER:

DONALD R. STEINBERG, ESQUIRE  
GREGORY H. LANTIER, ESQUIRE  
MONICA GREWAL, ESQUIRE  
Wilmer, Cutler, Pickering, Hale & Dorr, LLP  
60 State Street  
Boston, Massachusetts 02109

ON BEHALF OF THE PATENT OWNER:

HENRY A. PETRI, Jr., ESQUIRE  
JAMES MURPHY, ESQUIRE  
Novak, Druce, Connolly, Bove & Quigg, LLP  
1875 I Street, N.W.  
Eleventh Floor  
Washington, D.C. 20006

and

JOHN R. KING, ESQUIRE  
TED M. CANNON, ESQUIRE  
Knobbe, Martens, Olson & Bear, LLP  
2040 Main Street  
Fourteenth Floor  
Irvine, California 92614

1  P R O C E E D I N G S

2  - - - - -

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

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

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

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

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

21                  JUDGE GIANNETTI: Welcome, counsel. Who will be making  
22 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.

# 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.