

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNOPSISYS, INC.
Petitioner,

v.

MENTOR GRAPHICS CORPORATION
Patent Owner.

Case No. IPR2012-00042
Patent 6,240,376

Held: November 14, 2013

Before SALLY C. MEDLEY, HOWARD B. BLANKENSHIP, and
JENNIFER S. BISK, *Administrative Patent Judges*.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

WILLIAM H. WRIGHT, ESQUIRE
TRAVIS M. JENSEN, ESQUIRE
Orrick, Herrington & Sutcliffe, LLP
1000 Marsh Road
Menlo Park, California 94025-1015

1 ON BEHALF OF THE PATENT OWNER:

2 MARK E. MILLER, ESQUIRE

3 O'Melveny & Myers, LLP

4 Two Embarcadero Center

5 28th Floor

6 San Francisco, California 94111-3823

7
8 and

9
10 CHRISTOPHER L. McKEE, ESQUIRE

11 MICHAEL S. CUVIELLO, ESQUIRE

12 Banner & Witcoff, Ltd.

13 1100 13th Street, N.W.

14 Suite 1200

15 Washington, D.C. 20005-4051

16
17
18 The above-entitled matter came on for hearing on Thursday,
19 November 14, 2013, commencing at 2:00 p.m., at the U.S. Patent and
20 Trademark Office, 600 Dulany Street, Alexandria, Virginia.

21
22
23
24 P R O C E E D I N G S

25 - - - - -

26
27 JUDGE MEDLEY: Good afternoon. Please be seated.

28 This is the hearing for IPR2012-0042 between Petitioner
29 Synopsys and Patent Owner Mentor Graphics.

30 At this time we'd like the parties to introduce
31 themselves, starting with Petitioner.

1 MR. WRIGHT: Thank you, Your Honor. William
2 Wright of Orrick, Herrington & Sutcliffe on behalf of Petitioner
3 Synopsys. With me today is my colleague Travis Jensen and also
4 with me is David Pursley, Associate General Counsel for
5 Synopsys.

6 JUDGE MEDLEY: Thank you. And for Patent
7 Owner?

8 MR. McKEE: Good morning, Your Honors, or good
9 afternoon, Your Honors, Christopher McKee, lead counsel for
10 Mentor Graphics, and with me is backup counsel, Mark Miller
11 with O'Melveny & Myers who will be presenting the argument
12 today for Mentor Graphics, and also backup counsel, Michael
13 CuvIELLO with Banner & Witcoff, and we also have with us Tom
14 Evans, corporate counsel for Mentor Graphics.

15 JUDGE MEDLEY: Great. Thank you very much.
16 Okay. Per the order we sent out October 31st, you know that
17 each side has 60 minutes total time to present your arguments,
18 and we'd like the Petitioner to begin with its case with regard to
19 the challenge claims on which the Board instituted trial, and then
20 the Patent Owner can respond to the Petitioner's case and then at
21 that point we'd also like the Patent Owner to discuss their motion
22 to amend claims.

23 Then, Petitioner, you can take the rest of your time to
24 respond to all issues, and then, lastly, the Patent Owner, you can

1 respond, but only address the issues in connection with your
2 motion to amend.

3 So is that clear on how we're going to proceed?

4 MR. MILLER: Yes.

5 JUDGE MEDLEY: And also one other administrative
6 matter, when you're discussing your demonstratives so that we
7 can follow through the transcript, when we look back on the
8 transcript, if you could just refer to the slide number you're
9 discussing when you're up there, so then it will make sense in the
10 context of the transcript. That would be great, a big help for us.

11 Okay. So we'll begin with the Petitioner, and if you
12 could let us know how much time, rebuttal time, you'd like to
13 have.

14 MR. WRIGHT: Thank you, Your Honor. I would like
15 to reserve 15 minutes for rebuttal time. It may be 20 minutes,
16 but certainly reserve 15 minutes for rebuttal.

17 Your Honor, if I could, we have copies of the
18 materials that we'll be discussing. Could Mr. Jensen approach
19 and provide you those copies?

20 JUDGE MEDLEY: Yes, please. Thank you.

21 MR. WRIGHT: We have provided a copy of the
22 materials to the court reporter and we'll provide copies to
23 counsel as well.

24 JUDGE MEDLEY: And we did receive both parties'
25 demonstratives in the record, so we appreciate that.

1 MR. WRIGHT: Good afternoon, Your Honor. If it
2 may please the Court, we'd like to discuss the Petition for Inter
3 Partes Review of U.S. Patent Number 6,240,376. Trial was
4 granted on Claims 1 through 9, 11, 28 and 29 over U.S. Patent
5 Number 6,132,109 to Gregory, et al. Gregory, et al. is a
6 Synopsys patent that predates the 376 Patent by -- at least by --
7 for filing date by several years.

8 The technology at issue here is related to what's
9 called EDA, design of integrated circuits using programming
10 language called HDL or RTL. It looks a great deal like a
11 computer language, but it is, instead, translated into integrated
12 circuit designs.

13 The specific patents, the 376 Patent and the 109
14 Patent, are both directed to our debugging integrated circuits
15 relating the initial high-level design language or registered
16 transfer level design language to the circuitry within a
17 simulation or emulation environment.

18 The Gregory Patent is directed to -- also towards
19 debugging. You can see debugging in its title. Debugging is
20 discussed throughout the background of the invention. And the
21 specific challenge that Gregory was addressing was the fact that
22 in optimizing HDL code to form an integrated circuit, you lose a
23 great deal of information, and it be confusing or difficult to track
24 circuitry back to the original text of the HDL language.

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.