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IPR2014-00631, Paper No. 49
IRP2014-00632, Paper No. 15
June 4, 2015

RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON, INC.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Case Nos. IPR2014-00631 and IPR2014-00632
U.S. Patent No. 7,817,914
Technology Center 2800
Oral Hearing Held on Thursday, May 14, 2015

Before: RICHARD E. RICE, JAMES B. ARPIN (via video link) and
PETER P. CHEN (via video link), Administrative Patent Judges.

The above-entitled matter came on for hearing on Thursday, May 14,
2015, at 1:06 p.m., in Hearing Room A, taken at the U.S. Patent and
Trademark Office, 600 Dulany Street, Alexandria, Virginia.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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P R O C E E D I N G S

(1:06 p.m.)

JUDGE RICE: Please be seated. Good afternoon.
This is the hearing in IPR2014-00631. It has been
consolidated with IPR2014-00632.

I am Judge Rice. I am the only judge in this Panel
, who is in Alexandria today. Two of the other judges on the
Panel are appearing remotely: Judge Arpin from Denver and
Judge Chen from Menlo Park, California.

You must, because of the remote participation of
the other two judges, speak into the microphone at the podium
for them to hear you. Please remember that.

With that caution, will counsel for Petitioner
introduce themselves.

MR. OLIVER: Your Honor, Justin Oliver of
Fitzpatrick, Cella, counsel for Petitioner, Canon.

JUDGE RICE: And who is with you?

MR. OLIVER: Stephen Yam, also with Fitzpatrick,
Cella.

JUDGE RICE: Thank you. If you would please be
seated. Welcome to the PTAB. We're happy to have you.

Would counsel for Patent Owner please introduce
themselves?

MR. HART: Good afternoon, Your Honors. I'm
Herbert Hart here on behalf of Patent Owner as lead counsel.

1 With me today is Steven Hampton, who will be
2 presenting our argument. And also with me today are backup
3 counsel James Hietala and David Petty.

4 JUDGE RICE: Welcome. We're glad to have you.

5 MR. HART: Your Honor, we have a printed copy
6 of our demonstratives. Would it be helpful for you to have
7 that in front of you?

8 JUDGE RICE: Why don't you provide them after
9 the hearing.

10 MR. HART: Very well. Thank you very much.

11 JUDGE RICE: Just a few preliminaries before we
12 start. As set forth in the hearing order, each party will have
13 45 minutes for argument.

14 Please keep in mind that whatever you project on
15 the screen will not be viewable by Judges Arpin and Chen. So
16 it is important when you refer to an exhibit from the record to
17 state the record exhibit number and the page number. And, for
18 demonstratives, please refer to the slide or screen number

19 Petitioner may reserve time for rebuttal of Patent
20 Owner's argument, and Patent Owner may also reserve time,
21 but only in case Petitioner refers to the motion to exclude.

22 Just one further reminder, no interruptions. Under
23 no circumstances is a party to interrupt the other party while
24 that party is presenting its arguments. And if a party believes

1 that a demonstrative, for example, is objectionable, that
2 objection may be raised only during the party's argument time.

3 So with that, let's hear from counsel for Petitioner.
4 First, do you wish to reserve some rebuttal time?

5 MR. OLIVER: Yes, Your Honor. 12 minutes,
6 please.

7 JUDGE RICE: Please begin.

8 MR. OLIVER: Good afternoon. May it please the
9 Board. I am Justin Oliver, counsel for Petitioner, Canon.

10 The patent at issue today in this IPR is the '914
11 patent. It is directed to a method of automatically capturing
12 an image. It has one independent claim, a method claim for
13 that automatic capture.

14 The claim recites steps including selecting an
15 automatic trigger condition. A trigger condition may be, for
16 instance, a sound or image content, such as a smile. It also
17 includes a step of entering a threshold level corresponding to
18 that trigger condition. For instance, when the trigger
19 condition is a sound, the threshold level may be a decibel
20 level.

21 In addition, the method also recites the step of
22 automatically operating the device to capture an image upon
23 detection of meeting the threshold level. However, these
24 features were all known in the prior art as established by the
25 three primary references applied against independent claim 1

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