

RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZHONGSHAN BROAD-OCEAN MOTOR CO., LTD.

Petitioner

vs.

NIDEC MOTOR CORPORATION

Patent Owner

Appeal IPR2015-00465
Application 12/206062
Technology Center 2800
Patent 8,049,459 B2

Oral Hearing Held: March 22, 2016

Before: JAMES A. TARTAL, BENJAMIN D. M., WOOD,
and PATRICK M. BOUCHER (via video), Administrative Patent Judges

The above-entitled matter came on for hearing on Tuesday,
March 22, 2016 at the U.S. Patent and Trademark Office, 600 Dulany Street,
Alexandria, Virginia in Courtroom D at 1:30 p.m.

REPORTED BY: Karen Brynteson, RMR, CRR, FAPR

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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P R O C E E D I N G S

(1:30 p.m.)

JUDGE TARTAL: Good afternoon. Please be seated.

Good afternoon and welcome. We are here for a final hearing in an inter partes review captioned Zhongshan Broad-Ocean Motor Company Limited versus Nidec Motor Corporation, IPR 2015-00465, U.S. patent 8,049,459 B2.

First, let me begin by introducing the panel. I am joined by Judge Wood and Judge Boucher. And I am Judge Tartal.

Let's get the parties' appearances first, please. Who do we have appearing today on behalf of Petitioner?

MR. EWALD: Good afternoon, Your Honor. I am Peter Ewald on behalf of the Petitioner. And I am joined by my colleagues, Scott Strickland and Gang Luo.

JUDGE TARTAL: Welcome, counsel. And now for Patent Owner, who do we have appearing today?

MR. BROWN: Good afternoon, Your Honor, Scott Brown appearing on behalf of Patent Owner.

JUDGE TARTAL: Okay. Welcome.

We set forth the procedures for today's hearing in our trial order. And as a reminder, each party will have --

1 JUDGE BOUCHER: Judge Tartal, could you make
2 sure your microphone is on, please? I am having difficulty
3 hearing you, but I heard the parties fine.

4 JUDGE TARTAL: I will try that.

5 JUDGE BOUCHER: That helps. Thank you.

6 JUDGE TARTAL: Each party will have 60 minutes
7 of total time to present arguments concerning both the grounds
8 of unpatentability, as well as the motion to amend.

9 Petitioner has the burden of proof regarding the
10 challenged claims for which we instituted trial and will
11 present argument first. Petitioner may reserve time to respond
12 to arguments presented by Patent Owner.

13 Patent Owner will follow Petitioner and may
14 respond to Petitioner's arguments and also argue its motion to
15 amend, if it so chooses.

16 To the extent Petitioner has reserved rebuttal time,
17 Petitioner may respond to Patent Owner's presentation on all
18 matters.

19 To the extent Patent Owner then reserves rebuttal
20 time, it may only respond to the Petitioner's arguments
21 opposing the motion to amend.

22 For clarity in the transcript, when you refer to an
23 exhibit in your demonstratives or on the screen, please state
24 for the record the exhibit and page number or for
25 demonstratives, the slide number, to which you are referring.

1 Both parties are reminded that demonstrative slides
2 are not evidence and will not be relied upon for final decision.
3 Moreover, arguments raised for the first time during this
4 hearing or in a demonstrative will not be given weight in our
5 final written decision.

6 Are there any questions on behalf of Patent Owner?

7 MR. BROWN: No.

8 JUDGE TARTAL: Any questions on behalf of
9 Petitioner?

10 MR. EWALD: No.

11 JUDGE TARTAL: Petitioner, you may begin.
12 Would you like to reserve a certain amount of time for your
13 reply?

14 MR. EWALD: Your Honor, I think we would like
15 to reserve approximately 45 minutes for our rebuttal.

16 JUDGE TARTAL: 45 minutes for the rebuttal?

17 MR. EWALD: Yes.

18 JUDGE TARTAL: Counsel, you can begin.

19 MR. EWALD: Good afternoon, Your Honors.
20 With the Board's permission, I will present Petitioner's
21 arguments with respect to the challenged claims, and then my
22 colleague, Mr. Strickland, will present our arguments with
23 respect to the motion to amend.

24 JUDGE TARTAL: That's fine.

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