

1 UNITED STATES PATENT AND TRADEMARK OFFICE
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3 BEFORE THE PATENT TRIAL AND APPEAL BOARD
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6 ALARM.COM, INCORPORATED
7 Petitioner,

8 v.
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10 VIVINT, INCORPORATED
11 Patent Owner.

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13 Cases: IPR2015-02003
14 IPR2015-02004
15 IPR2015-01997
16 IPR2015-01995

17 TELEPHONE CONFERENCE

18 Before: CHARLES BOUDREAU, PTAB JUDGE
19 JAMES ARPIN, PTAB JUDGE
20 MICHAEL ZECHER, PTAB JUDGE

21 Date: Wednesday, January 27, 2016

22 Time: 11:00 a.m.

23 Reported by: Ryan K. Black, RPR

24 Veritext Legal Solutions

25 Mid-Atlantic Region

1250 Eye Street NW - Suite 1201

Washington, D.C. 20005

1 A P P E A R A N C E S:

2

3 STERNE KESSLER GOLDSTEIN & FOX P.L.L.C.

4 BY: ROBERT G. STERNE, ESQUIRE

5 JASON D. EISENBERG, ESQUIRE

6 JOSEPH E. MUTSCHELKNAUS, ESQUIRE

7 1100 New York Avenue, NW

8 Suite 1600

9 Washington, D.C. 20005

10 202.371.2600

11 rsterne@skgf.com

12 jasone@skgf.com

13 Representing Patent Owner Vivint, Inc.

14

15 SUGHRUE MION, PLLC

16 BY: BRIAN K. SHELTON, ESQUIRE

17 2100 Pennsylvania Avenue NW

18 Washington, D.C. 20037

19 202.293.7060

20 bshelton@sughrue.com

21 Representing Petitioner Alarm.com, Inc.

22

23

24

25

1 A P P E A R A N C E S (Cont'd):

2

3 CRAVATH, SWAINE & MOORE LLP

4 BY: TEENA-ANN V. SANKOORIKAL, ESQUIRE

5 825 8th Avenue

6 New York, New York 10019

7 212.474.1000

8 tsankoorikal@cravath.com

9 Representing Petitioner Alarm.com, Inc.

10

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12

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1 JUDGE BOUDREAU: Good morning.

2 This is Judge Charles Boudreau, and I have
3 Judges James Arpin and Michael Zecher on the
4 line with me.

5 Do we have counsel for Alarm.com?

6 MR. SHELTON: Yes, Your Honor. This
7 is Brian Shelton for petitioner. And I'm also
8 joined by co-counsel Teena Sankoorikal.

9 JUDGE BOUDREAU: Thank you.

10 And do we also have counsel for
11 Vivint, Incorporated?

12 MR. STERNE: Yes, Your Honor. This is
13 Robert Sterne for patent owner Vivint. And do
14 you want me to identify who's on the call from
15 our side?

16 We have a court reporter, Your Honor.

17 JUDGE BOUDREAU: Yes, please.

18 MR. STERNE: We have Jason
19 Eisenberg, my partner. Also, my partner Joseph
20 Mutschelknaus on the call. And we have the
21 court reporter. And with your consent, we will,
22 of course, provide a transcript of the call for
23 the record.

24 JUDGE BOUDREAU: Yes. Please do.

25 Thank you.

1 All right. Thank you.

2 We received Mr. Mandir's message
3 regarding procedures that would be followed by
4 the Patent Office for processing patent owner's
5 request for Certificate of Correction. And we
6 -- at the outset, I'd like to mention that,
7 under 37 CFR 42.3, the Board takes exclusive
8 jurisdiction over any involved application of
9 patent during a proceeding. And so, going
10 forward, patent owner shouldn't file any papers,
11 including any requests, to any department
12 outside of the PTAB while the case
13 is pending before the Patent Trial and Appeal
14 Board. And, indeed, under 37 CFR 1.323, if a
15 request for a Certificate of Correction relates
16 to a patent involved in any trial before the
17 Patent Trial and Appeal Board, the request must
18 comply with the requirements of this section and
19 be accompanied by a motion in addition to the
20 request itself.

21 MR. STERNE: Your Honor, this is
22 Robert Sterne speaking. We will absolutely
23 address why we did what we did and why we did
24 not come to the Board first, because we're very
25 aware of what you just cited to us. But I would

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