

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,
Petitioner,

5

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v.

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BRADIUM TECHNOLOGIES, LLC,
Patent Owner

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Case IPR 2016-00448 (Patent 7,908,343 B2)
Case IPR 2016-00449 (Patent 8,924,506 B2)

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Before BRYAN F. MOORE, BRIAN J. MCNAMARA, and MINN CHUNG,
Administrative Patent Judges

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15 The above-entitled matter came on for hearing on
16 Tuesday, April 18, 2017, commencing at 1:32 p.m., at the
17 U.S. Patent and Trademark Office, 600 Dulany Street,
18 Alexandria, Virginia 22314.

19

20 Job No.: 140053

21 Pages: 1 - 89

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1 P R O C E E D I N G S

2 JUDGE MCNAMARA: Good afternoon everyone. I am
3 Judge McNamara. With me is Judge Moore. And Judge Chung
4 is participating remotely, so I would urge everyone today
5 to make sure they speak into the microphones from the
6 podiums so that Judge Chung can hear you. And the other
7 thing is refer to any slides or demonstratives or anything
8 you may be using today so that he can access them because
9 he may not be able to see them otherwise.

10 To begin, this is the oral hearing in --
11 consolidated hearing, actually, for case
12 IPR 2016-00448-00449. Microsoft Corporation versus Bradium
13 Technologies.

14 Each side today will have 60 minutes of total
15 argument time. And let me do a couple of housekeeping
16 things at the beginning here.

17 First, the petitioner will present its case in
18 chief on the grounds on which we instituted it, and then it
19 will argue its motion to exclude. The patent owner will
20 then oppose or argue -- make its arguments in opposition to
21 petitioner's case and make arguments in support of its
22 motion to exclude.

1 The petitioner may then rebut the patent owner's
2 opposition and oppose the patent owner's motion to exclude,
3 so reserve some time for that. And the patent owner then
4 may, if he chooses to reserve some time, rebut the
5 petitioner's opposition to the motion to exclude. That's
6 all you get to do on that last part.

7 Today's hearing is public. And we are aware of
8 the e-mail that we received from the parties earlier this
9 week concerning the potential for some confidential subject
10 matter. We'd like to avoid a lot of popping up and down
11 and having to, you know, switch between a confidential
12 proceeding and a public proceeding.

13 So the way we're going to do that is I'm going
14 to urge you all to stay on the -- to make everything -- to
15 not use any confidential subject matter. But if it's
16 absolutely unavoidable, then you need to reserve time for
17 it, and we will have a confidential session at the end.

18 And we will -- if we do that, we will hear from
19 the petitioner and from the patent owner once, in that
20 order. And so we will only hear from you once on
21 confidential subject matter, and you'll have whatever time
22 you have left out of the 60 minutes.

1 Is everybody clear about what we're going to do?

2 MR. BERNSTEIN: Yes, Your Honor.

3 JUDGE MCNAMARA: Okay. Great. Thanks, so much.

4 Could I have the -- beginning with the
5 petitioner, could you introduce yourselves and any counsel
6 and who's here?

7 MR. NG: Thank you, Your Honor. My name is Chun
8 Ng. I'm with Perkins Coie on behalf of petitioner,
9 Microsoft Corporation. I'm the lead counsel in this
10 matter.

11 With me are my colleagues, Matt Bernstein and
12 Evan Day. Mr. Bernstein will be conducting the argument on
13 our behalf. Thank you.

14 JUDGE MCNAMARA: Thank you. How about the
15 patent owner?

16 MR. COULSON: Good afternoon, Your Honor. My
17 name is Chris Coulson with Andrews, Kurth, Kenyon. I'm
18 lead counsel, and I will be conducting the argument today.
19 And with me is my colleague, Ian Moore, also from
20 Andrews, Kurth, Kenyon.

21 JUDGE MCNAMARA: Thank you very much. Welcome
22 to the Patent Trial and Appeal Board.

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