

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TALARI NETWORKS, INC.,
Petitioner,

V.

FATPIPE NETWORKS INDIA LIMITED,
Patent Owner.

Case IPR2016-00976 (Patent 6,775,235 B2)
Case IPR2016-00977 (Patent 7,406,048 B2)

Record of Oral Hearing
Held: August 14, 2017

Before STACEY G. WHITE, MICHELLE N. WORMMEESTER, and
CHRISTA P. ZADO, *Administrative Patent Judges*.

Case IPR2016-00976 (Patent 6,775,235 B2)

Case IPR2016-00977 (Patent 7,406,048 B2)

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The above-entitled matter came on for hearing on August 14, 2017, commencing at 10:00 a.m. at the U.S. Patent and Trademark Office, 26 S. 4th Street, San Jose, California.

1 PROCEEDINGS

2 Monday, August 14, 2017 - 10:00 a.m.

3 ---oOo---

4 JUDGE ZADO: Please be seated. Good morning,
5 everyone.

6 ATTORNEYS: Good morning.

7 JUDGE ZADO: This is the consolidated oral hearing
8 in IPR 2016-00976 and IPR 2016-00977 between petitioner
9 Talari Networks, Incorporated, and patent owner FatPipe
10 Networks India Limited involving challenged claims of U.S.
11 Patents 6,775,235 and 7,406,048.

12 Judges White and Wormmeester are joining us
13 remotely from our Dallas and Alexandria hearing rooms
14 respectively, so please speak into the microphone at the
15 podium and identify any exhibits or demonstratives that you
16 are using so that they can be sure to pull them up.

17 Each party will have 90 minutes of total argument
18 time. Petitioner will go first and present its case with
19 regards to the instituted claims. Petitioner may reserve
20 time for rebuttal.

21 Thereafter, patent owner will argue its opposition
22 to petitioner's case, and if there is any rebuttal from
23 petitioner, we will hear it after patent owner's opposition.

24 Will petitioner's counsel please introduce
25 yourself.

26 MR. FITZPATRICK: Good morning, your Honor. Tom

Case IPR2016-00976 (Patent 6,775,235 B2)

Case IPR2016-00977 (Patent 7,406,048 B2)

1 Fitzpatrick from Pepper Hamilton on behalf of Petitioner

2 Talari.

3 With me, by the way, is Andy Chan, my colleague

4 from Pepper Hamilton, and Chuck Koch.

5 JUDGE ZADO: And would petitioner like to reserve

6 time for rebuttal today?

7 MR. FITZPATRICK: We would, your Honor. I would

8 like to reserve a half hour.

9 JUDGE ZADO: Will patent owner's counsel please introduce

10 yourselves.

11 MR. MATTSON: Good morning, your Honor. Robert

12 Mattson with the Oblon firm for patent owner FatPipe.

13 Presenting for FatPipe today will be my partner Sameer

14 Gokhale.

15 JUDGE ZADO: Thank you. We're ready to begin

16 whenever petitioner is ready.

17 MR. FITZPATRICK: Thank you, your Honors.

18 Thank you, your Honors and may it please the

19 Board -- can you hear me?

20 JUDGE WHITE: I can hear you.

21 JUDGE WORMMEESTER: I can hear you.

22 MR. FITZPATRICK: Thank you.

23 May it please the Board, we'll go straight to slide

24 2. I don't believe that the -- thank you. We'll go straight

25 to slide 2 where you will notice that we have a table of

26 contents of presentation for our presentation.

1 Each presentation is rather extensive, and, your
2 Honor, we do have a separate physical copy for your Honor.
3 May I approach?

4 JUDGE ZADO: No, thank you. I have it
5 electronically. Thank you very much.

6 MR. FITZPATRICK: Each presentation, as extensive
7 as they are, the slides are intended to provide us a means to
8 address any questions you may have. We plan on focusing on a
9 very small subset of these slides today.

10 And before we dive into those slides, I think it's
11 important that we describe the context of what we're talking
12 about today.

13 First is the level of skill in the art. It's
14 undisputed that the level of skill in the art in this matter
15 is relatively high. It's a Bachelor of Science in computer
16 science, computer engineering, electrical engineering or
17 equivalent field as well as at least two years of academic or
18 industry experience in any type of networking field.

19 By the way, that's Talari's view. FatPipe's level
20 of skill for a person of ordinary skill is a bit broader to
21 accommodate its expert, but, again, it's similar, and, again,
22 it's relatively high.

23 And this is important because it highlights what
24 was known and what is not in dispute today.

25 Routing traffic between disparate parallel
26 networks, that was known. That's not in dispute.

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