

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., et al.
Petitioner,

v.

TQ DELTA LLC,
Patent Owner.

Case IPR2016-01006 (Patent 7,835,430)
Case IPR2016-01007 (Patent 8,432,956)
Case IRP2016-01008 (Patent 8,238,412)
Case IPR2016-01009 (Patent 8,238,412)

Record of Oral Hearing
Held: August 3, 2017

Before SALLY C. MEDLEY, TREVOR M. JEFFERSON, and
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

Case IPR2016-01006 (Patent 7,835,430)
Case IPR2016-01007 (Patent 8,432,956)
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Case IPR2016-01009 (Patent 8,238,412)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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Theodore M. Foster, Esquire
Gregory P. Huh, Esquire
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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on
Thursday, August 3, 2017, commencing at 1:01 p.m., at the U.S.
Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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

2 JUDGE MEDLEY: Good afternoon. This is
3 the hearing for IPR 2016-01006, 1007, 1008, and
4 1009, Cisco Systems, et al. versus TQ Delta.

5 Each side has 60 minutes to argue for
6 the presentation. Petitioner, you will proceed
7 first to present your case with respect to the
8 challenged claims and grounds for which the board
9 instituted trial. Thereafter, patent owner,
10 you will respond to their presentation, and you
11 petitioner may reserve rebuttal time.

12 At this time we would like the parties
13 to please introduce themselves, beginning with
14 petitioner.

15 MR. MCCOMBS: Good morning, Your Honors.
16 I'm David McCombs with Haynes and Boone. And with
17 me is Dina Blikshteyn, Theo Foster, and Gregory Huh.
18 Gregory will be making the presentation today.

19 I'd also like to mention we have with us
20 on behalf of Dish Networks with the Cooley, LLP
21 firm Stephen McBride and Jennifer Volk are here.
22 And also from the Comcast entities, we have with

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1 us Cory Manley from Duane Morris.

2 JUDGE MEDLEY: Okay. Thank you.

3 And for patent owner?

4 MR. MCANDREWS: Good afternoon, Your
5 Honor, I'm Peter McAndrews from McAndrews Held
6 Malloy on behalf of TQ Delta. I have with me Chris
7 Scharff and Raj Chiplunkar. Chris Scharff will be
8 presenting on the first four matters. When we flip
9 to the other two, I'll take a spot and I'll be
10 presenting on that matter.

11 We also have with us one of our summer
12 associates, Ben Mann. He's in the back there.
13 And then for TQ Delta, we have Mark Roach and Nada
14 Roget.

15 JUDGE MEDLEY: Okay. Thank you.

16 MR. MCANDREWS: And this is Marcos Tzannes,
17 one of the inventors on some of these
18 patents, although not the ones involved in this
19 proceeding.

20 JUDGE MEDLEY: Thank you very much.

21 So August 1st, 2017, patent owner filed
22 a paper styled Patent Owner's Objections to the

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1 Petitioner's Demonstratives.

2 MR. MCANDREWS: Yes, Your Honors.

3 JUDGE MEDLEY: Does that still stand? Did
4 you happen to have a chance to talk to them about
5 all the objections?

6 MR. MCANDREWS: We did. That was after
7 the objections, and we didn't feel that their
8 revisions to the demonstratives addressed our
9 objections to the demonstratives.

10 JUDGE MEDLEY: So the objections that you
11 have currently are still the same?

12 MR. MCANDREWS: Yes, Your Honor.

13 JUDGE MEDLEY: But you did meet with them
14 first, so that's good.

15 We had a chance to look at the
16 objections and we feel like your objections were
17 improper or are improper, because the patent owner
18 did not -- you didn't demonstrate sufficiently
19 that the contents of the objected to slides
20 raised new issues or evidence. Rather, he objected-to slides contain
21 references to arguments and evidence of record.

22 MR. MCANDREWS: Yes, Your Honor.

23 JUDGE MEDLEY: We understand that you
24 may believe that they, you know, the reply was
25 outside the scope of what they should have argued.

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