

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC. *, LG ELECTRONICS, INC.,
LG ELECTRONICS, U.S.A., INC., LG ELECTRONICS
MOBILECOMM
U.S.A., INC., SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC., and HUAWEI DEVICE U.S.A., INC.
Petitioner,

v.

RYUJIN FUJINOMAKI
Patent Owner.

Case IPR2016-01522 **
Patent 6,151,493

Record of Oral Hearing
Held: November 28, 2017

AMENDED ORDER
Trial Hearing
37 C.F.R. § 42.70

Before DAVID C. MCKONE, BARBARA A. PARVIS, and DANIEL N.
FISHMAN, *Administrative Patent Judges.*

* Updated Mandatory Notices, Google, Inc., indicates that it has converted from a corporation to a limited liability company, Google LLC, and that Google LLC is now the real party in interest. Paper

IPR2016-01522
Patent 6,151,493

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Tuesday, November 28, 2017, at 2:11 p.m., at the U.S. Patent and Trademark Office, Madison Building East, 600 Delany Street, Alexandria, Virginia, before Chris Hofer, Notary Public.

PROCEEDINGS

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2 JUDGE PARVIS: Good afternoon everyone. This is an oral
3 argument in IPR2016-01522 and IPR 2017-01017. The challenged
4 patent is U.S. patent No. 6,151,493. Patent Owner is Ryujin Fujinomaki.
5 Petitioners in IPR2016-01522 are Google LLC., LG Electronics, U.S.A.,
6 Incorporated, LG Electronics Mobilecomm U.S.A., Incorporated, and LG
7 Electronics Incorporated.

8 The Petitioners in IPR2017-01017 are Samsung Electronics
9 Company Ltd., Samsung Electronics America Incorporated and Huawei
10 Device U.S.A., Incorporated.

11 I am Administrative Patent Judge Parvis. Judges McKone and
12 Fishman are appearing remotely. As the parties are aware we've granted
13 Petitioner's Motion for Joinder and IPR2017-01017 was joined to
14 IPR2016-01522. We then terminated IPR2017-01017.

15 The scheduling order in IPR2016-01522 was unchanged. As set
16 forth in that scheduling order which is Paper 9, and also our trial hearing
17 order of October 2nd, the date -- that's Paper 24 in the proceedings -- the
18 date for oral argument in the instant proceedings was set for November
19 1st, 2017. The parties jointly requested that we move argument by
20 approximately one month and agreed to November 28th, 2017. On
21 October 9th, 2017, we granted the parties' request and issued an
22 Amended Trial Order which is Paper 27, resetting the date for today. We
23 also set the ground rules in that Amended Trial Order.

24 At this time, we'd like counsel to introduce yourselves, your
25 partners and your guests starting with Petitioner. Please use the
26 microphone.

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1 MS. HIGGINS: Good afternoon, Your Honors. My name is
2 Gabrielle Higgins and with me today is Kathryn Hong. We're appearing
3 on behalf of Petitioners Google and LG, and also with us is a
4 representative from Google is Mr. Timur Engin.

5 JUDGE PARVIS: Thank you. Patent Owner.

6 MR. CECIL: Good afternoon, Your Honor. I'm Tom Cecil from
7 the law firm of Nelson Bumgardner representing Patent Owner Ryujin
8 Fujinomaki. With me today from Nelson Bumgardner is also Mr. Brent
9 Bumgardner, who is lead counsel in this case, and also with us in the
10 gallery is Mr. Barry Bumgardner who is also from the Nelson
11 Bumgardner firm.

12 JUDGE PARVIS: Thank you. Before we begin we want to
13 remind the parties that this hearing is open to the public and a full
14 transcript of it will become part of the record. As you know from our
15 Amended Trial Hearing Order of October 19th, 2017, each side is
16 allotted 45 minutes to present its case. As a reminder, Google LLC, LG
17 Electronics U.S.A. Incorporated, LG Electronics Mobilecomm U.S.A.,
18 Incorporated and LG Electronics Incorporated jointly filed a petition in
19 IPR2016-01522 and will be expected to speak with one voice.

20 Additionally, as noted in the Order, granting the Motion for
21 Joinder filed by Petitioners Samsung Electronics Company, Ltd.,
22 Samsung Electronics America Incorporated, and Huawei Device U.S.A.,
23 Incorporated in IPR2017-01017 which is Paper 19, the Samsung and
24 Huawei Petitioners agreed that Samsung and Huawei should not be
25 permitted to make their own arguments jointly or individually at the oral
26 argument if Google or LG is a party without prior authorization from us.

1 If you think you should need to make arguments, please approach the
2 microphone and request authorization.

3 Because Petitioner has a burden to show unpatentability of the
4 claims, Petitioner will proceed first followed by the Patent Owner.
5 Petitioner will begin by presenting its case regarding the challenged
6 claims and grounds in support of institution of review in the proceedings.
7 Patent Owner will present its rebuttal to Petitioner's case. Petitioner may
8 reserve some time for rebuttal to Patent Owner's presentation.

9 Also, please keep in mind that whatever is projected on the screen
10 will not be viewable by anyone reading the transcript or judges appearing
11 remotely. When you refer to a demonstrative slide or other document on
12 the screen, please state in the microphone information to identify the
13 document you are referring to such as Petitioner's demonstratives and the
14 slide number or exhibit number, and page of the exhibit.

15 Additionally, as you present your arguments please keep in mind
16 that attorney speech away from the microphone cannot be heard by
17 remote judges so please speak clearly into the microphone at the podium.
18 The judges appearing remotely have copies of the parties'
19 demonstratives. Any time you are ready counsel for the Petitioner, you
20 may proceed.

21 MS. HIGGINS: Thank you, Your Honor. Good afternoon, Your
22 Honors. May it please the Board, at the outset we'd like to reserve 12
23 minutes of our time for rebuttal. Petitioners have provided our positions
24 and evidence and our briefing, but to assist the Board in considering the
25 record we plan to address today in our opening discussion four topics,
26 and they are here on slide 4 of our demonstratives along with any
27 questions of course the Board may have.

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