

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PARROT S.A., PARROT DRONES, S.A.S., and PARROT INC.,  
Petitioner,

v.

QFO LABS, INC.,  
Patent Owner.

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Case IPR2016-01550 (Patent 7,931,239 B2)  
Case IPR2016-01559 (Patent 9,073,532 B2)

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Record of Oral Hearing  
Held: November 15, 2017

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Before MEREDITH C. PETRAVICK, HYUN J. JUNG, and  
SCOTT C. MOORE, *Administrative Patent Judges*.

Case IPR2016-01550 (Patent 7,931,239 B2)

Case IPR2016-01559 (Patent 9,073,532 B2)

APPEARANCES:

ON BEHALF OF PETITIONER:

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The above-entitled matter came on for hearing on Wednesday, November 15, 2017, commencing at 1:00 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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P R O C E E D I N G S

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JUDGE JUNG: Good afternoon. Bear with us for a moment to verify Judge Moore is available.

JUDGE MOORE: I'm here.

JUDGE JUNG: The camera is pointing at the flags.

JUDGE MOORE: They usually put the camera here when we do the "all rise" and then they put it on me.

JUDGE JUNG: Okay. This is the oral hearing for cases IPR2016-01550 and IPR2016-01559 between Petitioners, Parrot S.A., Parrot Drones, S.A.S., and Parrot, Incorporated and Patent Owner, QFO Labs, Incorporated. To specify for the record in the 1550 case, Petitioner has challenged Claim 10 of U.S. Patent Number 7,931,239. In the 1559 case, Petitioner challenges Claims 8 through 14 of U.S. Patent Number 9,073,532. Starting with counsel for Petitioner followed by counsel for Patent Owner please stand at the podium and state your names for the record.

MR. GLASS: Good afternoon, Your Honors, Jim Glass from Quinn, Emanuel, Urquhart, and Sullivan on behalf of Petitioners. With us today is my partner Matthew Traupman, Gregory Michael, and Rich Larry.

JUDGE JUNG: Welcome.

MR. DE LA GARZA: Good afternoon, Your Honor, Chaz De La Garza, and with my at counsel table is Charles Lemaire.

1 JUDGE JUNG: Welcome. As stated in the trial hearing order  
2 each party has 45 minutes to present its arguments. Petitioner will  
3 proceed first followed by Patent Owner and Petitioner may reserve  
4 rebuttal time. Will either Mr. Lemaire or Mr. De La Garza return to the  
5 podium. Patent Owner requested to enter demonstratives in an e-mail  
6 yesterday?

7 MR. DE LA GARZA: Yes, Your Honor.

8 JUDGE JUNG: Is that correct, okay. Do you understand that  
9 demonstratives are just an aid to your presentation? They're not an  
10 opportunity to introduce new evidence and new arguments.

11 MR. DE LA GARZA: I do understand that, yes, indeed, Your  
12 Honor.

13 JUDGE JUNG: And by entering these demonstratives am I correct  
14 in assuming that no new evidence and no new arguments will be  
15 introduced into the record?

16 MR. DE LA GARZA: That is certainly my understanding.

17 JUDGE JUNG: All right, and Mr. Glass, do you object to  
18 Petitioner's entry of its demonstratives -- I'm sorry, Patent Owner's  
19 demonstratives?

20 MR. GLASS: We do, Your Honor, there are two outstanding  
21 objections. We've met --

22 JUDGE MOORE: Counsel, please step to the podium. I'm unable  
23 to hear from there.

24 MR. GLASS: Apologize, Your Honor. We've met and confirmed,  
25 we've resolved most of our differences. We have two outstanding  
26 objections with respect to slide 22 and slide 24, I'll work backwards. On

1 slide 24 Patent Owner cites to the deposition testimony of Mr. John  
2 Condon. The deposition testimony is not cited in their briefs. There was  
3 no request for a motion for observation, it's not in evidence. The only  
4 way it can be brought in evidence now is through their slides and it's not  
5 inappropriate.

6 Slide 22, we've had some back and forth on that slide. They  
7 originally had a citation, In re: Smith, they've taken that slide out.  
8 They've taken the quotation In re: Smith out. They've kept a title on top  
9 of the slide that says, I believe, The Proper Construction under BRI.  
10 There's no argument in the post-institution briefs on BRI. They have  
11 accepted the Board's construction over BRI and my concern is the title  
12 itself. My concern is also that with that title that will segway into a  
13 discussion of In re: Smith.

14 JUDGE PETRAVICK: I'm sorry, is that page 22?

15 MR. GLASS: That's Patent Owner's slide 22 and Patent Owner's  
16 slide -- slide 3, excuse me, and slide 24.

17 JUDGE PETRAVICK: Thank you.

18 MR. GLASS: Your Honors, also for the record we would like to  
19 request, as long as there are no objections to our slides, that they also be  
20 admitted into the record too.

21 JUDGE JUNG: Mr. De La Garza and Lemaire, do you object to  
22 Petitioners' request to enter its demonstratives?

23 MR. DE LA GARZA: We've resolved all of our objections with  
24 Petitioners' slides last night, so the current slides removed photographs  
25 of the experts and cleaned them up. We also cleaned up five other of our  
26 slides. Slide 3, this notion that BRI interpretation can't be on a title, I just

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