

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO (UNITED STATES), INC. and EMC CORPORATION,
Petitioners,

v.

INTELLECTUAL VENTURES I, LLC,
Patent Owner.

Case IPR 2017-00477
Patent 8,387,132 B2

Record of Oral Hearing
Held: March 5, 2018

Before JEFFREY S. SMITH, GEORGIANNA W. BRADEN, and DANIEL
J. GALLIGAN, *Administrative Patent Judges*.

Case IPR 2017-00477
Patent 8,387,132 B2

APPEARANCES:

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The above-entitled matter came on for hearing on Monday, March 5, 2018, commencing at 2:45 p.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

P R O C E E D I N G S

2:44 p.m.

JUDGE GALLIGAN: Good afternoon. This is Judge Galligan and with me is Judge Braden, and in front of you in the room there is Judge Smith.

And this is an oral hearing for IPR 2017-00477. Lenovo (United States) Inc. and EMC Corporation are the petitioners. Intellectual Ventures I LLC is the patent owner. This involves Patent No. 8,387,132.

Now we have appearances for petitioner and patent owner. And when you speak, make sure the mic is on.

MR. CENTURELLI: Good afternoon, Your Honor. Can you hear me?

JUDGE GALLIGAN: Yes.

MR. CENTURELLI: Chris Centurelli on behalf of petitioners. With me is Erik Halverson.

MR. PICKARD: Good afternoon. On behalf of the patent owner, Intellectual Ventures, it's Byron Pickard from the Sterne Kessler law firm. Joined with me at counsel table is Lestin Kenton, also from Sterne Kessler, as well as in-house counsel from Intellectual Ventures, Tim Seeley and James Hietala.

JUDGE GALLIGAN: Great. Thank you very much. So as the oral hearing order in this case stated, the parties will each have 30 minutes to present. So it's, well, a total of 60 minutes for argument time.

1 The petitioner has the burden of persuasion to prove unpatentability
2 of the claims. Claims 1 and 9 are at issue in this review of the '132 patent.
3 And so petitioner will go first. Petitioner may reserve time in rebuttal.

4 Because Judges Braden and I are here, we appreciate it if you would
5 identify a particular page for the record. Or demonstratives currently before
6 you, reference them. We have all the record and everything, so we just need
7 you to just point us to them.

8 And I think that's all. With that, petitioner, you're welcome to begin.

9 MR. CENTURELLI: Thank you, Your Honor. My name is Chris
10 Centurelli. I'm counsel for petitioners. I'd like to reserve 15 minutes for
11 rebuttal.

12 There are two questions before the Board today.

13 First, does the prior art Cramer patent anticipate claim 1 and 9 of the
14 132 patent?

15 And second, does Cramer, in combination with the prior Banga
16 patent, render claims 1 and 9 obvious?

17 The primary dispute here today is what does Cramer reasonably
18 disclose? There are no claim constructions before the Board.

19 Petitioners submit there's ample evidence in the record defining
20 Cramer reasonably renders claims 1 and 9 unpatentable. This is because
21 Cramer and the '132 patent propose the same solution to the same problem,
22 namely --

1 JUDGE GALLIGAN: Counsel, I'm interested in particular on where
2 -- and because we have an anticipation ground with respect to Cramer and
3 then we also have the Cramer-Banga obviousness case.

4 Where does Cramer expressly disclose two volumes that are mapped
5 to a single network interface or a single network adapter common frame
6 address? Where does it disclose that?

7 MR. CENTURELLI: Certainly, Your Honor. Petitioners submit --
8 well, first of all, as background, Cramer is talking about filers that typically
9 serve 150 or more volumes. And that's in the background section,
10 specifically column 2, about lines 17 through 21. Okay? So --

11 JUDGE GALLIGAN: Right. And I know they're in multiple
12 volumes and I know that they're -- I'm just curious about the express
13 disclosure of a many-to-one relationship. I'll just call it many-to-one or a
14 two-to-one even --

15 MR. CENTURELLI: Yes, so --

16 JUDGE GALLIGAN: -- relationship of a filer -- of volumes to a
17 common frame address.

18 MR. CENTURELLI: Yes, Your Honor. Good question. So the
19 context of Cramer is this concept of a filer that can handle 150 volumes.
20 Okay? And there's no disclosure of 150 NICs, right? We're talking one,
21 two, or three NICs. Okay?

22 And then you go to figure 1, right? And figure 1 is a block diagram
23 of an exemplary network environment. Okay? So this is a block diagram of
24 --

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