UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

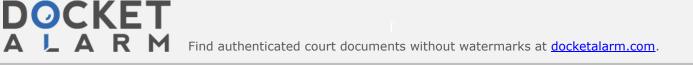
v.

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*.



APPEARANCES:

DOCKET

ALARM

ON BEHALF OF THE PETITIONER:

CHRISTOPHER CENTURELLI, ESQ. K&L Gates, LLP One Lincoln Street Boston, Massachusetts 02111 (617) 526-6466 christopher.centurelli@klgates.com

ON BEHALF OF THE PATENT OWNER:

BYRON L. PICKARD, ESQ. Sterne Kessler Goldstein Fox 1100 New York Avenue, NW Washington, DC 20005 (202) 371-2600 bpickard@skgf.com

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.

1	PROCEEDINGS
2	
3	2:44 p.m.
4	JUDGE GALLIGAN: Good afternoon. This is Judge Galligan and
5	with me is Judge Braden, and in front of you in the room there is Judge
6	Smith.
7	And this is an oral hearing for IPR 2017-00477. Lenovo (United
8	States) Inc. and EMC Corporation are the petitioners. Intellectual Ventures I
9	LLC is the patent owner. This involves Patent No. 8,387,132.
10	Now we have appearances for petitioner and patent owner. And
11	when you speak, make sure the mic is on.
12	MR. CENTURELLI: Good afternoon, Your Honor. Can you hear
13	me?
14	JUDGE GALLIGAN: Yes.
15	MR. CENTURELLI: Chris Centurelli on behalf of petitioners. With
16	me is Erik Halverson.
17	MR. PICKARD: Good afternoon. On behalf of the patent owner,
18	Intellectual Ventures, it's Byron Pickard from the Sterne Kessler law firm.
19	Joined with me at counsel table is Lestin Kenton, also from Sterne Kessler,
20	as well as in-house counsel from Intellectual Ventures, Tim Seeley and
21	James Hietala.
22	JUDGE GALLIGAN: Great. Thank you very much. So as the oral
23	hearing order in this case stated, the parties will each have 30 minutes to
24	present. So it's, well, a total of 60 minutes for argument time.

3

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	

5

DOCKET A L A R M



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.