

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TERADATA OPERATIONS, INC.,
Petitioner,

v.

REALTIME DATA LLC,
Patent Owner.

Case IPR2017-00557
Patent 7,358,867 B2

Record of Oral Hearing
Held: February 20, 2018

Before GREGG I. ANDERSON, CHARLES J. BOUDREAU, and JASON
J. CHUNG, *Administrative Patent Judges*.

Case IPR2017-00557
Patent 7,358,867 B2

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, February 20, 2018, commencing at 1:30 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

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2 JUDGE ANDERSON: Thank you all. Good afternoon. This is a
3 hearing for IPR2017-00557. Petitioner is Teradata Operations, Inc.
4 Realtime Data LLC is the owner of the challenged patent, U.S. patent
5 number 7,358,867. I am Judge Anderson. I am participating remotely, as is
6 obvious to all of you. Judge Boudreau is also joining remotely from
7 California. Judge Chung is there in person. As to the remote judges, you
8 need to understand that when you refer to demonstratives, which we have
9 available to us, you need to give us the slide number so that we can go to
10 that slide and understand and follow your argument.

11 Per our hearing order, each party will have 30 minutes to present
12 argument here. Petitioner has the burden to show unpatentability of the
13 claims and will therefore proceed first followed by patent owner. Petitioner,
14 you may reserve time to rebut patent owner's opposition to your case.

15 At this time let's have counsel, beginning with petitioner, to
16 introduce themselves. So petitioner, can you please introduce counsel.

17 MR. LYNN: This is Jamie Lynn with the law firm Baker Botts on
18 behalf of petitioner, Teradata Operations. And Eliot Williams is here as
19 well.

20 JUDGE ANDERSON: You are going to need go over to the
21 microphone because I didn't really get any of that. Thank you.

22 MR. LYNN: Sorry, Your Honor. This is Jamie Lynn with Baker
23 Botts on behalf of Teradata. And with me is Eliot Williams, also of Baker
24 Botts.

1 JUDGE ANDERSON: Who is going to take -- Mr. Lynn, who is
2 going to be the speaker in today's case?

3 MR. LYNN: Your Honor, I have the speaking role today.

4 JUDGE ANDERSON: Very good. Thank you, Mr. Lynn.

5 Patent owner, can you tell us who will be handling your case. I
6 think I already know this one, but for the record, Mr. Noroozi, why don't you
7 go ahead and introduce yourself.

8 MR. NOROOZI: Yes, Your Honor. Kayvan Noroozi on behalf of
9 patent owner, Realtime Data, and I will be presenting on behalf of patent
10 owner.

11 JUDGE ANDERSON: Thank you, Mr. Noroozi.

12 So one other thing before we get started, sometimes during the
13 presentation of the opposing party, there will be a desire to make an
14 objection. Perhaps the argument is not covered in the papers beyond the
15 scope of what evidence there is or the arguments that have not been
16 previously presented or there may be some other argument that you have an
17 objection. So any of these objections, what I want the parties to do is to hold
18 onto them, make a note of them. When it's your turn to speak, please go
19 ahead and address the issue then. You have three experienced judges here
20 who can sort through this. We want to hear the uninterrupted flow of the
21 argument without interruption. So that is what we would like to hear.
22 Mr. Lynn, do you understand that?

23 MR. LYNN: Yes, Your Honor.

24 JUDGE ANDERSON: And Mr. Noroozi?

25 MR. NOROOZI: Yes, Your Honor.

1 JUDGE ANDERSON: Now, one other thing, we didn't get any
2 objections to the demonstratives. So we are going to proceed unless
3 something very unusual happens here on the basis that there is no currently
4 pending objection to any of the demonstratives. Is that correct on your
5 behalf, Mr. Lynn?

6 MR. LYNN: Yes, Your Honor.

7 JUDGE ANDERSON: And Mr. Noroozi?

8 MR. NOROOZI: Yes, Your Honor.

9 JUDGE ANDERSON: Okay. Very good. So petitioner, would
10 you like to reserve some rebuttal time, Mr. Lynn?

11 MR. LYNN: Yes, Your Honor. I would like to reserve 10
12 minutes, if possible.

13 JUDGE ANDERSON: Very good. That is possible. With that,
14 Mr. Lynn, you may proceed.

15 JUDGE CHUNG: Because I don't see the timer displayed, I'll let
16 you know when I have several minutes to go, but I'm setting it for
17 20 minutes right now.

18 MR. LYNN: Thank you, Your Honors. May it please the Board,
19 once again, my name is Jamie Lynn on behalf of petitioner, Teradata
20 Operations, Inc. And I'll just ask, can everybody hear me okay?

21 JUDGE ANDERSON: Yes.

22 MR. LYNN: Thank you. Your Honors, this IPR deals with five
23 grounds. And here on slide 2 we have them listed. On slide 3 we have a
24 listing of the claims, the claim hierarchy that shows this is a simple single
25 independent claim with six dependent claims. And rather than go into a

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