

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC,
Petitioner,

v.

ROVI GUIDES, INC.,
Patent Owner.

Cases IPR2017-00939 and IPR2017-00941
Patent 9,172,987 B2

Record of Oral Hearing
Held: June 6, 2018

Before KARL D. EASTHOM, BARBARA A. BENOIT, and
STACY B. MARGOLIES, *Administrative Patent Judges*.

Cases IPR2017-00939 and IPR2017-00941
Patent 9,172,987 B2

APPEARANCES:

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Patent 9,172,987 B2

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The above-entitled matter came on for hearing on Wednesday, June 6, 2018, commencing at 9:00 a.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

PROCEEDINGS

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3 JUDGE BENOIT: Good afternoon. We are convened for the
4 consolidated oral arguments for IPR2017-00939 and IPR2017-00941, which
5 challenges U.S. Patent 9,172,987.

6 I am Judge Benoit. With me in Alexandria are Judge Easthom and
7 Judge Margolies.

8 With regard to IPR2017-00941, we're hearing arguments today
9 concerning the grounds that were instituted in our September 11, 2017
10 decision to institute.

11 With that, let's start with appearances. Petitioner?

12 MR. MEEKER: Thank you, Your Honor. Fred Meeker with the law
13 firm of Banner and Witcoff, representing Comcast Cable Communication.

14 On my right is John Curry, who will be running the slides. And Seth
15 Kramer is the representative of the company. And we do have a number of
16 our summers in the back of the room observing. So, thank you.

17 JUDGE BENOIT: Welcome everyone. Patent Owner?

18 MR. ROWLAND: Good afternoon, Your Honor. Mark Rowland,
19 Ropes and Gray. Arguing for this proceeding will be Scott McKeown and
20 Steven Pepe, also of Ropes and Gray. We have with us summer associates.

21 One thing I wanted to ask about, there were some objections to some
22 of the demonstratives, this has to do with the construction issue. I know in
23 the earlier proceeding, we proceeded with that and then, if you wanted to
24 hear argument on it, that could be part of the presentation.

1 JUDGE BENOIT: No, as we did before, we're not going to rule on
2 the objections. Petitioner may refer to both Slides 14 and 47, and we will
3 take it under advisement.

4 MR. ROWLAND: Okay.

5 JUDGE BENOIT: But I would ask Petitioner not to use the
6 shorthand for your claimed construction that appears on 14 and 47, if you
7 would be more precise when you talk about the program function claim
8 construction.

9 MR. MEEKER: Yes, Your Honor.

10 MR. ROWLAND: Thank you, Your Honor.

11 JUDGE BENOIT: Thank you. Petitioner, you may begin and you
12 may reserve rebuttal time.

13 MR. MEEKER: Okay. We would like to reserve 15 minutes for
14 rebuttal, Your Honor.

15 JUDGE BENOIT: All right. So, if you give me a minute to play
16 with the machine. You may begin when ready.

17 MR. MEEKER: May it please the Board, for the record, Fred
18 Meeker with the law firm of Banner and Witcoff, representing Comcast
19 Cable Communication LLC.

20 Turning to Slide 2. Slide 2 shows the instituted grounds. This is a
21 simple case, Your Honors, it's essentially a web browser on a set-top box.

22 Comcast petitions have shown that a web browser on a set-top box
23 arrangement existed in the prior art through several different instituted

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