

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WARGAMING GROUP LIMITED and
ACTIVISION BLIZZARD, INC.,
Petitioner,

v.

GAME AND TECHNOLOGY CO., LTD.,
Patent Owner.

Case IPR2017-01082
Patent 7,682,243 B2

Record of Oral Hearing
Held: July 10, 2018

Before STACEY G. WHITE, DANIEL J. GALLIGAN, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

Case IPR2017-01082
Patent 7,682,243 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER WARGAMING GROUP LIMITED:

CHRIS PONDER, ESQ.
HARPER BATTS, ESQ.
JEFFREY LIANG, ESQ.
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ON BEHALF OF THE PETITIONER ACTIVISION BLIZZARD, INC.:

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ON BEHALF OF THE PATENT OWNER:

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DNL Zito Castellano
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The above-entitled matter came on for hearing on Tuesday, July 10, 2018, commencing at 1 p.m., at the U.S. Patent and Trademark Office, Texas Regional Office, 207 S. Houston Street, Suite 159, Dallas, Texas 75202.

PROCEEDINGS

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(WHEREUPON, the following was transcribed from an audio recording, as follows:)

JUDGE GALLIGAN: Please be seated.

This is the hearing in IPR 201701 -- sorry. My microphone was off.

This is a hearing in IPR2017-01082. Petitioner is Wargaming Group Limited, and Activision Blizzard was joined as a petitioner, and patent owner is Game and Technology Company.

Can I have appearances for the petitioner, please.

MR. BATTS: Yes, Your Honor. Harper Batts on behalf of petitioner, and with me is Jeffrey Liang and Chris Ponder, all from the firm of Baker Botts.

JUDGE GALLIGAN: Okay. You can make an appearance.

MS. ISRAEL: Sharon Israel on behalf of Activision Blizzard.

JUDGE GALLIGAN: And, Mr. Batts, you'll be presenting for the petitioner?

MR. BATTS: Your Honor, I will be presenting on the Dungeons & Dragons ground, and Mr. Ponder will be addressing the service issues, to the extent those are argued.

JUDGE GALLIGAN: Okay, great.

1 And patent owner?

2 MR. CASTELLANO: Yes, Your Honor. Richard
3 Castellano for Game and Technology.

4 JUDGE GALLIGAN: Okay. So according to the oral hearing order,
5 each party will have one hour of
6 argument time. Petitioner bears the burden of proving
7 unpatentability of the challenged claims and will proceed
8 first. Petitioner may reserve rebuttal time. Petitioner
9 also bears the burden of persuasion on the motion to
10 exclude, Exhibit 2027, if you wanted to argue that.

11 Patent owner will go after petitioner, and the
12 petitioner may use the remainder of its time.

13 How much time do you want to reserve for rebuttal?

14 MR. BATTS: If I may, Your Honor, there's a few
15 issues on this. The first issue is that we would propose,
16 and we reached out to patent owner about splitting the
17 arguments from the service issue, and separate from that the
18 issues on the ground, that Instituted ground. So we propose
19 that we do service first, and then deal with the ground. So
20 that, for us, we would split the time there. And then,
21 also, we have the objections to the slides and what we
22 believe are new arguments regarding the grounds that we
23 wanted to also address.

24 JUDGE GALLIGAN: Yes. I was going to get to the
25 slides in a second.

26 So were you going to do 30 minutes on the service

1 issue?

2 MR. BATTS: I think we are planning on 20 minutes
3 of our time on the service issue, depending on -- they
4 didn't get back to us on whether they were going to argue it
5 even. So we're kind of --

6 JUDGE GALLIGAN: I prefer you do just petitioner
7 all at once.

8 Judge White?

9 JUDGE WHITE: Did you have any sort of agreement
10 on this or --

11 MR. CASTELLANO: No, Your Honor. We actually
12 prefer to do it all at once, rather than apportion our time
13 to one aspect or another.

14 JUDGE WHITE: Then let's just do it all at once.

15 JUDGE GALLIGAN: We will just proceed, petitioners
16 present your entire case, and then you can respond. You
17 will respond to the entire case on both issues, for all
18 issues, and then, petitioner, you can rebut.

19 MR. BATTS: So we'll plan on 45 minutes of time
20 for our opening time period, with 15 minutes of rebuttal,
21 Your Honor.

22 JUDGE GALLIGAN: Great, thanks.

23 And we have -- I apologize. I'm Judge Galligan,
24 this is Judge White, to my left, and joining us by video is
25 Judge Howard. And so for clarity of the record, because
26 he's remote, he has access to everything, he has access to

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