

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ONE WORLD TECHNOLOGIES, INC.
d/b/a TECHTRONIC INDUSTRIES POWER EQUIPMENT,
Petitioner,

v.

THE CHAMBERLAIN GROUP, INC.,
Patent Owner.

Cases IPR2017-01132 and IPR2017-01137
Patent 6,998,977 B2

Record of Oral Hearing
Held: June 14, 2018

Before JONI Y. CHANG, JUSTIN T. ARBES, and JON M. JURGOVAN,
Administrative Patent Judges.

Cases IPR2017-01132 and IPR2017-01137
Patent 6,998,977 B2

APPEARANCES:

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The above-entitled matter came on for hearing on Thursday, June 14, 2018, commencing at 1 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

PROCEEDINGS

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4 JUDGE CHANG: Please be seated. We may take a few minutes to
5 boot up our computers.

6 MR. BREGMAN: Your Honor, may I pass these up?

7 JUDGE CHANG: Sure. Okay, thank you. Thank you very much.

8 MR. RENNER: Your Honors, may I pass these up?

9 JUDGE CHANG: Yes, that would be great. Is that a copy for the
10 court reporter?

11 MR. BREGMAN: He has a copy already. Thank you.

12 THE REPORTER: They took care of me early.

13 JUDGE CHANG: Okay. Thank you very much. Good afternoon.
14 Welcome. I am Administrative Patent Judge Joni Chang and here with me is
15 Judge Justin Arbes on my right, and Judge Jon Jurgovan is joining us
16 remotely from Dallas and I just wanted to check whether he can hear us and
17 also if the mike is working or not. Judge Jurgovan, good afternoon.

18 JUDGE JURGOVAN: I can hear you Joni.

19 JUDGE CHANG: Okay, great. Thank you. And make sure that the
20 mike on the podium is on when you speak. Judge Jurgovan, can you hear us
21 at the podium, the counsel?

22 JUDGE JURGOVAN: Yes.

23 JUDGE CHANG: Okay. Thank you. One time I found out that one
24 of the remote judges couldn't hear, and also one more check is, do you see
25 us, Judge Jurgovan, or the counsel at the podium?

26 JUDGE JURGOVAN: I see the counsel.

1 JUDGE CHANG: Okay, good, good. Because also there was another
2 hearing where they were at us and not the counsel, so I just want to make
3 sure all that is correct. So at this time I would like counsel to introduce
4 yourselves and your colleagues.

5 MR. BREGMAN: Your Honor, Dion Bregman and Scott Tester for
6 Petitioners.

7 JUDGE CHANG: Okay. Welcome.

8 MR. RENNER: And, Your Honor, this is Karl Renner and Josh
9 Griswold, and Dan Smith, for Patent Owner.

10 JUDGE CHANG: Welcome. Thank you so much. This is a
11 consolidated oral hearing for IPR 2017-01132 and 01137. Both cases are
12 involved with the same patent, U.S. patent 6,998,977. This oral hearing is
13 open to the public and a transcript will be entered in both cases usable in
14 both cases. Please note that the demonstratives are neither evidence nor
15 substantive weight, rather they are merely visual aids to assist the parties'
16 presentation, and because Judge Jurgovan is remotely joining us please
17 speak closely to the mike and only at the mike and also please make sure
18 that you clearly speak and explicit by the slide number so that way he can
19 follow us because he can't see the board. So we do have access to all the
20 files in both cases on our computers so if you're referring to any specific
21 exhibits in the file or paper in the file, you can let us know also and
22 consistent with our Prior Order each party has a total of 60 minutes to
23 present each argument for both cases. If there is a specific argument for one
24 particular case, please identify the case number so that way we can follow
25 the transcript later. If it's applied to both, we assume applied to both, okay,
26 and Petitioner will proceed first with its presentation of the case as to the

1 challenged claims and thereafter the Patent Owner will respond to the
2 Petitioner's case. Petitioner may reserve a small portion of your time for
3 rebuttal. Is there any other questions before we begin? No? Okay, any
4 time.

5 MR. BREGMAN: Actually one question before we begin, Your
6 Honor. There were two competing lists of -- Patent Owner's had requested a
7 Motion to Strike. Your Honors had permitted us to submit competing lists
8 of support for the arguments and for whether it was in rebuttal. I don't know
9 if you want do discuss that first or if we should just set that aside.

10 JUDGE CHANG: It wasn't a Motion to Strike, it was more of a
11 listing, right?

12 MR. BREGMAN: Right. Two competing lists.

13 JUDGE CHANG: Yes. We will consider the list and we will respond
14 to that list when we draft our final written decision. There was not argument
15 on the list so we did not permit any argument so actually we would like to
16 not hear any argument.

17 MR. BREGMAN: Okay. Fair enough.

18 JUDGE CHANG: Okay.

19 MR. BREGMAN: Good. Okay, Your Honor. So I'd like to reserve
20 20 minutes at the end for rebuttal. So why don't I jump right in. So let's just
21 jump to the '977 patent that we're here to discuss today. You can see here,
22 I'm on slide 4, that the filing date was June 2003 and that has not been
23 challenged as the priority date.

24 If we jump to slide No. 8, this is figure 3 from the '977 patent. As you
25 can see everything yellow with the reference numeral 36 is the network
26 interface. The network interface in the '977 patent connects to the barrier

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