

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

MIRA ADVANCED TECHNOLOGY, INC.,
Patent Owner.

Case IPR2017-01052 (Patent 8,848,892 B2)
Case IPR2017-01411 (Patent 9,531,657 B2)

Record of Oral Hearing
Held: June 21, 2018

Before MINN CHUNG, MICHELLE N. WORMMEESTER, and
KAMRAN JIVANI, *Administrative Patent Judges*.

Case IPR2017-01052 (Patent 8,848,892 B2)

Case IPR2017-01411 (Patent 9,531,657 B2)

APPEARANCES:

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The above-entitled matter came on for hearing on Thursday, June 21, 2018, commencing at 1:30 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

PROCEEDINGS

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2 JUDGE WORMMEESTER: Good afternoon everyone. We have our
3 final hearing in cases IPR2017-01052 which concerns U.S. patent No.
4 8,848,892 and IPR2017-01411 which concerns U.S. patent No. 9,531,657.
5 I'm Judge Wormmeester. Judges Chung and Jivani are appearing remotely.
6 Let's get the parties' appearances, please. Who do we have for Petitioner?

7 MR. MASON: Yes, Your Honor. On behalf of Petitioner, Microsoft
8 Corporation, Andy Mason of Klarquist Sparkman.

9 JUDGE WORMMEESTER: Thank you.

10 MR. MA: Your Honor, I'm the attorney for the Patent Owner. My
11 name is J.D. Ma, I go by J.D.

12 JUDGE WORMMEESTER: Thank you. Welcome. We set forth the
13 procedure for today's hearing in our Trial Order but just to remind everyone
14 the way this will work. Each party will have 60 minutes to present
15 arguments. Petitioner has the burden and will go first and may reserve time
16 for rebuttal. Patent Owner will then have the opportunity to present its
17 response. Please remember that Judges Chung and Jivani will be unable to
18 hear you unless you speak into the microphone. Also when referring to any
19 demonstrative, please state the slide number so that they can follow along,
20 and this is a reminder that the demonstratives as submitted are not part of the
21 record. The record of the hearing will be the transcript. We will give you a
22 warning when you're into your rebuttal time or reaching the end of your
23 argument time. Any questions before we proceed?

24 Okay. Counsel, will you be addressing the cases together or
25 separately today?

1 MR. MASON: Yes, Your Honor. I plan to address them together
2 since the primary issues seem to affect both IPRs.

3 JUDGE WORMMEESTER: Okay, great. Thank you. If you do
4 address one as opposed to the other, please remember to identify the case
5 you're referring to while you're presenting your arguments. Also, will you
6 be reserving any time?

7 MR. MASON: Yes, Your Honor. I'll reserve 30 minutes for rebuttal.

8 JUDGE WORMMEESTER: Thirty. Okay. All right, you may begin
9 when you're ready.

10 MR. MASON: Thank you, Your Honor. Can everybody hear me
11 okay remotely?

12 JUDGE CHUNG: I'm sorry, excuse me. The podium microphone
13 needs to be turned on. We can't hear you.

14 MR. MASON: Okay, thank you.

15 JUDGE WORMMEESTER: Okay. Just to recap for Judges Chung
16 and Jivani. Counsel will be presenting the arguments with respect to both
17 cases together today and he has reserved 30 minutes for rebuttal.

18 JUDGE CHUNG: Very good.

19 JUDGE WORMMEESTER: You may start when you're ready.

20 MR. MASON: Okay. Can everybody hear me remotely now?

21 JUDGE JIVANI: No, still can't hear you.

22 (Pause.)

23 JUDGE WORMMEESTER: Okay, when you're ready.

24 MR. MASON: May I proceed? Okay, great. Thank you, good
25 afternoon and may it please the Board. We're addressing two IPRs today
26 both relating to the 892 and 657 patents, related patents from the same

1 family. The primary issues today are dispositive as to all grounds in both
2 IPRs and so I'm going to be addressing those issues together.

3 Specifically, and if we turn to slide 2 of our Microsoft demonstratives
4 here we've got the asserted grounds listed and throughout today's
5 proceedings I'll refer to the Matsumoto based grounds which have
6 Matsumoto as the primary reference and that relates to the issue surrounding
7 the construction of contact list. So I'll refer to that as the contact list issue,
8 and then as we see on slide 2 there are Sony based grounds which rely on
9 Sony as primary reference, and the issue relating to those grounds is what I
10 will call the single storage issue throughout today's proceedings.

11 So relating to those two issues, there's two points that I'd like to make
12 today. One is that with respect to contact list, the Board's construction is
13 proper under the BRI under Phillips and under that construction Matsumoto
14 satisfies the claim contact list and renders all challenged claims patentable
15 under those Matsumoto based grounds.

16 The second point which I'll cover is that single storage. It would have
17 been obvious for the Sony based grounds to modify Sony to use a single
18 storage for both the user information as well as the memo or reminder field
19 and under once combined in that manner, all claims are rendered obvious on
20 those Sony based grounds.

21 So jumping them to slide 4, we'll get into the contact list issue, or
22 excuse me, slide 5. I'll turn to slide 5, shows figure 1 of the challenged
23 patents. This is cited in both petitions and just going over it briefly, we've
24 got within this contact list each row is what's called a contact list entry and
25 then there are columns in those rows that have data fields for them. So
26 they're conveying this concept of a database or something that's kept in

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