

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NVIDIA CORPORATION,
Petitioner,

v.

POLARIS INNOVATIONS LIMITED,
Patent Owner.

IPR2017-01346 (Patent 8,161,344)
IPR2017-01781 (Patent 8,161,344)

Record of Oral Hearing
HELD: August 17, 2018

Before MINN CHUNG, DANIEL J. GALLIGAN, JOHN A. HUDALLA,
Administrative Patent Judges.

IPR2017-01346 (Patent 8,161,344)

IPR2017-01781 (Patent 8,161,344)

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The above-entitled matter came on for hearing on August 17, 2018, commencing at 1:10 p.m., at the U.S. Patent and Trademark Office, Texas Regional Office, 207 S. Houston Street, Suite 159, Dallas, Texas 75202.

IPR2017-01346 (Patent 8,161,344)

IPR2017-01781 (Patent 8,161,344)

1

PROCEEDINGS

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JUDGE GALLIGAN: Good afternoon. This is an oral argument in IPR2017-01346 and 2017-01781. The patent at issue is 8,161,344. Petitioner is NVIDIA Corporation. The Patent Owner is Polaris Innovations Limited.

6

I'm Administrative Patent Judge Galligan. With me by video are Judges Chung and Hudalla.

8

Can I please have appearances of counsel, starting with Petitioner. Thank you.

10

MR. MONALDO: Yes, Your Honor. For Petitioner, this is Jeremy Monaldo representing NVIDIA Corporation. I'm joined today by my colleagues, Andrew Goldberg, David Hoffman, and Oliver Richards, as well as Ben Damstedt from NVIDIA.

14

MR. LAURENCE: Your Honor, Kevin Laurence. I'm joined by my colleagues Derek Meeker and Matt Phillips.

16

JUDGE GALLIGAN: Thank you. Okay. And according to the oral hearing order in these cases, we are doing a combined oral hearing for these two cases. Each party will have one hour of time to address its arguments. Petitioner may proceed first and you may reserve time for rebuttal not to exceed half the time.

21

Would you like to reserve any time?

22

MR. MONALDO: Yes, Your Honor. I would like to reserve at least 15 minutes.

24

JUDGE GALLIGAN: 15 minutes. Okay. So I'll give you a warning at 40 minutes.

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IPR2017-01346 (Patent 8,161,344)

IPR2017-01781 (Patent 8,161,344)

1 And after Petitioner presents its case, Patent Owner,
2 you may present your case, and you may argue your motion to
3 exclude as well and the Petitioner may reply. You may save
4 rebuttal time to respond to anything in Patent Owner's
5 opposition to your motion to exclude.

6 And as you're going through the presentations, please
7 identify particular slide numbers, pages of the record, pages of
8 the evidence and such so we can all follow along. And Judges
9 Chung and Hudalla have everything, but they just need you to
10 identify the slides and whatnot so they can follow along and the
11 record will be clear that way.

12 If there are no questions, Petitioner, you may begin.

13 **ARGUMENT ON BEHALF OF THE PETITIONER**

14 **MR. MONALDO:** May it please the Board. Today, we're
15 scheduled to discuss two IPR proceedings involving the '344
16 patent: The 1346 proceeding and the 1781 proceeding. My plan is
17 to start with the brief discussion of the '344 patent using our
18 slides in the 1346 proceeding and then move to the grounds on the
19 1781 proceeding and then transition back to the grounds in the
20 1346 proceeding.

21 So, with that, I'd like to move to slide 6 in our slides
22 in the 1346 proceeding. You can see here on the screen Figure 1-A
23 of the '344 patent. So what's this patent about? It's about
24 error coding. You can see error coders here highlighted in blue.
25 It's also about data arrangement alteration. You can see data

IPR2017-01346 (Patent 8,161,344)

IPR2017-01781 (Patent 8,161,344)

1 arrangement alteration devices highlighted in yellow. But error
2 coding is well-known; it's been around forever. And rearranging
3 data to improve error coding, also well-known by the '344 patent.

4 So what's this -- what's supposed to be novel about the
5 '344 patent? It's the fact that you have two paths with different
6 error coding and this switch to select between the two paths. You
7 can see this on our slide here with the green highlighting,
8 showing first path, and the red highlighting showing the second
9 path. That's it. Two paths in the switch. This is a very simple
10 patent, very simple claims. Just adding a little bit of flexible
11 to known error coding technology.

12 And as our petitions demonstrate, that flexibility was
13 well-known in the prior art between the (indiscernible) that show
14 clearly two paths and a clear selection between them. And we have
15 a combination of Raz and Wickeraad that explains why adding a
16 switch between two paths would have been a trivial and obvious
17 solution.

18 So with that background, I'd like to jump over to our
19 slides in the 1381 proceeding, starting with slide 3. But I'd
20 like to take this moment just to pause and recognize that we do
21 have a substantial record before us, a lot of issues. So if Your
22 Honors have any questions, please feel free to let me know. I
23 just want to make sure those are addressed before running out of
24 time.

25 JUDGE GALLIGAN: I will. Just proceed. Thanks.

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