

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HAMAMATSU PHOTONICS K.K.,
Petitioner,

v.

SEMICAPS PTE LTD.,
Patent Owner.

Cases IPR2017-02110 and IPR2017-02112
Patent 7,623,982 B2

Record of Oral Hearing
Held: December 3, 2018

Before KEN B. BARRETT, CHARLES J. BOUDREAU, and
MONICA S. ULLAGADDI, *Administrative Patent Judges.*

IPR2017-02110 and IPR2017-02112
Patent 7,623,982 B2

APPEARANCES:

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The above-entitled matter came on for hearing on Monday, December 3, 2018, commencing at 1:09 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 PROCEEDINGS

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3 JUDGE BARRETT: You may be seated. Good afternoon, everyone.
4 We are on the record today in Final Hearings in IPR 2017-02110 and 2112,
5 Hamamatsu v. Semicaps.

6 I'm Judge Barrett, and next to me on the bench is Judge Ullagaddi,
7 and appearing by video is Judge Boudreau.

8 Let's get the parties' appearances. Who do we have for Petitioner?

9 MR. SMITH: Yes. My name is John Smith. I'm Lead Counsel. And
10 I'm accompanied by my colleague, Brianna Silverstein. Do you want me to
11 say if anyone is in the audience, or just leave it at that?

12 JUDGE BARRETT: You can introduce the people in the audience.

13 MR. SMITH: Sure. We have Mr. Hitoshi Hisanaga of Hamamatsu
14 Photonics who is the Petitioner.

15 JUDGE BARRETT: Okay.

16 MR. RIBERA: Good afternoon. My name is Hector Ribera, from
17 Marton Ribera Schumann & Chang. And I'm here for Semicaps. And with
18 me I have Mr. David Tan and Julian Pan of Semicaps.

19 JUDGE BARRETT: Welcome, everyone. We set forth the procedure
20 for today's hearing in our order. But just to recap. Each party will have 90
21 minutes total to present for both cases. We will have one continuous
22 transcript for both cases. My working assumption is, the parties will be
23 addressing both the cases together, but if you are addressing anything
24 specific to one of the two cases please state that, that will make for a cleaner
25 transcript.

1 Also for clarity in the transcript, and primarily to assist Judge
2 Boudreau, any time you're referring to an exhibit or a demonstrative on the
3 screen, please identify the slide number and that will allow him to follow
4 along much more easily.

5 Petitioner bears the burden, will go first, and you may reserve time for
6 rebuttal. Patent Owner will go second. And then Petitioner, any rebuttal
7 time you have remaining. I'm not using the clock, the timer clock, but I will
8 watch the time, and I will give you warnings.

9 Just as a reminder, I'm sure you know this. We will only be looking at
10 the evidence and arguments that are already in the record. So, please, no
11 new arguments, no new evidence. In reaching the final decision we won't be
12 considering anything new that comes up today. Any questions, concerns,
13 Petitioner?

14 MR. SMITH: I have a question. In the first period, am I able to
15 address the motion to amend, or do I have to wait until the second period?

16 JUDGE BARRETT: You can use your time however you please.

17 MR. SMITH: All right. Thank you.

18 MR. RIBERA: No questions from the Patent Owner, Your Honor.

19 JUDGE BARRETT: Okay. Thank you. With that, Petitioner, you
20 may begin.

21 MR. SMITH: Thank you, Judge Barrett, Judge Ullagaddi, Judge
22 Boudreau. Today, as mentioned, we are talking about -- and I'm at slide 1
23 right now, the cover slide -- we are talking about two IPRs, and concerning
24 the same patent, which is U.S. Patent 7,623,982. The IPRs challenge
25 different claims of the same patent.

1 In an attempt to provide convenience, unless indicated otherwise, all
2 references to the IPR papers will be to the 02110 proceeding. And unless
3 indicated otherwise, all references to any non-English document will be to
4 the English translation. And for ease of reference, when I use the term
5 "slide" I'll be referring to our demonstratives. I hope that's okay. If not,
6 please let me know.

7 JUDGE BARRETT: That's fine. And would you like to reserve some
8 time?

9 MR. SMITH: Oh, yes, I would. I'd like to reserve 45 minutes for
10 rebuttal, please.

11 JUDGE BARRETT: Half your time?

12 MR. SMITH: If I finish early, I'm able to reserve more than that?

13 JUDGE BARRETT: Let's go no more than half, but I understand, you
14 have a -- there's a Motion to Amend in place, so.

15 MR. SMITH: Okay.

16 JUDGE BARRETT: Okay.

17 MR. SMITH: All right. Thank you very much. Slide 2, please? So,
18 the first IPR, 02110, challenges independent claims 1 and 21, and dependent
19 claims 4 through 7, and 21 through 25.

20 Slide 3, please? IPR 02112 challenges dependent claims 2, 3 and 8
21 through 20. So, the first IPR handles all of the independent claims, and the
22 second IPR is only dependent claims.

23 Please note that none of the claims in the second IPR requires a pulsed
24 laser beam, which is a feature that I'm sure will be discussed today. And as
25 mentioned, there are two independent claims, 1 and 21.

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