

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOBILE TECH, INC.,
Petitioner,

v.

INVUE SECURITY PRODUCTS INC.,
Patent Owner.

Case IPR2018-01138
Patent 9,659,472 B2

Record of Oral Hearing
Held August 29, 2019

Before JUSTIN T. ARBES, STACEY G. WHITE, and
DANIEL J. GALLIGAN, *Administrative Patent Judges*.

Case IPR2018-01138
Patent 9,659,472 B2

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The above-entitled matter came on for hearing on Thursday, August 29, 2019, commencing at 1:00 p.m. at the U.S. Patent and Trademark Office, 207 South Houston Street, Suite 159, Dallas, Texas 75202.

PROCEEDINGS

(1:00 p.m.)

JUDGE WHITE: You may be seated. All right.

Good afternoon. It's good to see everyone again.

MR. NORMAN: Good afternoon.

JUDGE WHITE: This is the oral hearing for IPR 2018-01138, between Petitioner Mobile Tech Incorporated and Patent Owner InVue Security Products, concerning U.S. Patent Number 9,659,472 B2. I'm Judge White and with me today is Judge Galligan, and via the magic of video conference we have Judge Arbes in Alexandria.

So let us begin with appearances. For Petitioner?

MR. NORMAN: Alan Norman of Thompson Coburn on behalf of Petitioner Mobile Tech, Inc. With me is Anthony Blum and David Jinkins as well.

JUDGE WHITE: And for the Patent Owner?

MR. CARLIN: Gregory Carlin on behalf of Patent Owner InVue Security Products.

JUDGE WHITE: Good afternoon, gentlemen. Good to see you again.

MR. CARLIN: Likewise.

JUDGE WHITE: So I -- I know you know the

1 drill, but we'll go over it again, just to make sure everything is
2 clear on the record.

3 We have a few administrative reminders. We
4 have one Judge that is appearing remotely, so please make sure
5 the little green light is on your microphone or else he will not
6 be able to hear you when you're speaking. Also, Judge Arbes
7 will not be able to see what is -- what is on your -- what is on
8 the screen, so refer to page numbers and such in your
9 demonstrative so he can find everything. We have everything
10 electronically, so just make sure you're clear so the record is
11 clear and Judge Arbes can also follow along.

12 So for today's hearing, we have 30 minutes of total
13 time per side to present arguments on the challenge claims.
14 Petitioner, how much time would you like to reserve for
15 rebuttal?

16 MR. NORMAN: Ten minutes, please.

17 JUDGE WHITE: And Patent Owner, you also
18 have 30 minutes and you can reserve some time for sur-rebuttal.
19 How much time would you like to reserve?

20 MR. CARLIN: Five minutes, please.

21 JUDGE WHITE: Okay. I'll give you a warning
22 when you're getting close to your time.

23 As far as objections, we ask that you not interrupt
24 the other party during their time. If you have any objections,
25 just save it for your time to get up and present and let us know

1 what those objections are. Let's see, demonstrative -- does
2 anybody have a paper copy of a demonstrative that they would
3 like to share?

4 MR. NORMAN: Yes, Your Honor. May I
5 approach?

6 JUDGE WHITE: Yes, you may.

7 MR. CARLIN: Thanks.

8 JUDGE WHITE: Before we get going, I wanted
9 to bring up the fact that I'm sure everyone's aware there have
10 been some intervening events since the briefs were completed
11 in this proceeding. We've had decisions come out from the
12 Federal Circuit, decisions come out from this panel, and I don't
13 know if the parties have had a chance to meet and confer to
14 discuss the impact of those proceedings on this particular case.

15 Have you had a chance to meet and confer on that?

16 MR. NORMAN: We -- we sent an email a few
17 days ago, but Patent Owner did not want to discuss it.

18 JUDGE WHITE: Okay. Well, at this time what
19 I'm going to do is I'm just going to order you guys to have a
20 conversation and meet and confer after this hearing at some
21 point. And I want you to file a statement by September 10th;
22 September 10th of this year, letting us know if you have
23 reached any agreements as far as the application of estoppel to
24 any of the issues in this proceeding. Let us know what
25 your agreements and disagreements may be by September 10th

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