UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,

Petitioner,

v.

CENTRIPETAL NETWORKS, INC.,

Patent Owner.

_____

Case IPR2018-01454
Patent 9,674,148 B2
_____

Record of Oral Hearing
Held: December 5, 2019

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Before KEVIN F. TURNER, BRIAN J. MCNAMARA, and
STACEY G. WHITE, *Administrative Patent Judges.*

APPEARANCES:

ON BEHALF OF THE PETITIONR:

    GREGORY P. HUH, ESQUIRE
    DAVID MCCOMBS, ESQUIRE
    Haynes and Boone, LLP
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    Richardson, TX 75082

ON BEHALF OF THE PATENT OWNER:

    JAMES HANNAH, ESQUIRE
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    The above-entitled matter came on for hearing on Thursday, December 5, 2019, commencing at 1:00 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia, before Donna Jenkins, Notary Public.

1   P R O C E E D I N G S

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4   JUDGE MCNAMARA: Good afternoon everybody.

5 This is the formal hearing in IPR 2018-01454. I'm Judge

6 McNamara. Judge Turner and Judge White are participating

7 remotely. Could we have counsel introduce themselves please.

8 Let's start with the Petitioner.

9   MR. MCCOMBS: Good afternoon, Your Honors. I'm

10 David McCombs here for Petitioner Cisco Systems and with me

11 are Theo Foster and Gregory Huh. Gregory Huh will be making

12 our presentation today.

13   JUDGE MCNAMARA: Thank you very much. Patent

14 Owner.

15   MR. HANNAH: Good afternoon, Judge McNamara.

16 Nice to see you again Judge White. I'll try to look that way at

17 the camera instead of the screen. Nice to meet you Judge Turner.

18 James Hannah on behalf of Centripetal Networks, and with me is

19 Jeffrey Price.

20   JUDGE MCNAMARA: Would you be doing the

21 arguing?

22   MR. HANNAH: Yes, I will be doing the argument

23 today. Thanks.

1   JUDGE MCNAMARA: Okay. Thank you so much.

2   Okay. Let me see. Each side has a 60 minutes maximum time.

3   You don't have to use it all but you're certainly welcome to.

4   We'll start with the Petitioner who'll present its case with regard

5   to the challenged claims and any outstanding motions. Patent

6   Owner will then present its opposition to Petitioner's case.

7   Petitioner can use any time it reserved for rebuttal and then the

8   Patent Owner will get a surrebuttal directed to issues that were

9   raised in the Petitioner's rebuttal using whatever time he has

10   reserved. I assume everyone is ready to proceed? All right. So

11   let's begin with the Petitioner. Is there some amount of time

12   you'd like me to alert you to?

13   MR. HUH: Good afternoon, Your Honors. So we'll

14   be reserving 15 minutes for rebuttal. Maybe a five minute

15   warning would be great.

16   JUDGE MCNAMARA: Okay. So why don't we let

17   you know when you've used up 40 minutes.

18   MR. HUH: Yes, please.

19   JUDGE MCNAMARA: Okay. That sounds terrific.

20   MR. HUH: Thank you.

21   JUDGE MCNAMARA: All right. Please proceed.

22   Oh, and you have handouts? Do you have hard copies of the

23   demonstratives?

24   MR. HUH: I do, Your Honor.

1   JUDGE MCNAMARA: Could I have a set, please?

2   MR. HUH: Certainly.

3   JUDGE MCNAMARA: And does the court reporter

4   have a set?

5   MR. HUH: Yes.

6   JUDGE MCNAMARA: Okay, great. Thanks very

7   much.

8   MR. HUH: Okay. So as I was saying, this is Gregory

9   Huh on the record on behalf of Petitioner Cisco Systems. During

10   today's discussion I will refer to the slides for everybody's

11   benefit as well as the record. I just want to briefly note that the

12   slides have not been filed per the Board's instructions in the

13   email.

14   So I'll begin by looking at slide 2 and if we look at

15   slide 2 there are five issues for discussion here today, and the

16   first one is the construction for the preprocessing limitation and

17   I'll address that in detail as well as Patent Owner's and

18   Petitioner's position on that construction.

19   The other issues for discussion are the fact that the

20   prior art teaches a preprocessing limitation under any

21   construction, that the prior art teaches a caching limitation as

22   well as the claim 3 limitation of dynamically adjusting and lastly

23   I will address the secondary considerations. Very likely I'll

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