

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

IPR2019-00973
Patent 7,075,917 B2

Record of Oral Hearing
Held: August 20, 2020

Before SALLY C. MEDLEY, KALYAN K. DESHPANDE, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

IPR2019-00973
Patent 7,075,917 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Thursday, August 20, 2020, commencing at 10:30 a.m. EDT, by video/by telephone.

PROCEEDINGS

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JUDGE MEDLEY: Good morning. This is the hearing for IPR 2019-00973 between Microsoft and Uniloc involving U.S. patent number 7,075,917. I'm Judge Medley and with me are Judges Deshpande and Weinschenk.

At this time, we'd like the parties to please introduce counsel for the record, beginning with the Petitioner.

MR. MASON: On behalf of the Petitioner this is Andy Mason of Klarquist Sparkman.

JUDGE MEDLEY: Good morning. Thank you.

MR. MASON: Good morning.

JUDGE MEDLEY: And for Patent Owner?

MR. HUANG: Good morning, Your Honor. My name is Jeffrey Huang for Patent Owner.

JUDGE MEDLEY: Thank you. Each party has 45 minutes total time to present arguments. Petitioner, you'll proceed first and may reserve some of your time to respond to arguments presented by Patent Owner. And thereafter, Patent Owner will respond to Petitioner's presentation and may reserve argument time for surrebuttal.

Counsel for Petitioner, do you wish to reserve some of your time to respond?

MR. MASON: Yes, Your Honor, I will reserve 20 minutes for rebuttal.

JUDGE MEDLEY: Okay, thank you. And you may proceed when you're ready.

1 MR. MASON: Thank you, Your Honor. Good morning. May it
2 please the Board, Andy Mason on behalf of Microsoft Corporation.

3 In this IPR the Petitioner carefully explains how a POSITA wasn't
4 being motivated and able to implement the network described in TR25.835
5 Version 1.0.0. -- that's Exhibit 1005 -- using the Abrol abbreviated sequence
6 numbers that's satisfying all the claims. This is supported by the detailed
7 expert testimony of Dr. Harry Bims, as well as the exhibits in evidence
8 themselves.

9 After the Petition made this showing and the Board instituted, Uniloc
10 has done nothing to undermine the Petition's showing of unpatentability, it
11 did not depose Microsoft's experts, nor submit testimony of its own that
12 would undermine any of the evidence which shows that all challenged
13 claims are unpatentable. Uniloc relied exclusively on an array of conclusory
14 attorney arguments in its Patent Owner response, and the reply brief explains
15 that --

16 CLERK: I'm sorry, can we pause for a moment? I have a message
17 from Judge Weinschenk. It looks like he's having an issue. Standby, please.

18 MR. MASON: Okay.

19 CLERK: And we have you on the line, sir? Judge Weinschenk?

20 JUDGE WEINSCHENK: Yes, I'm here.

21 CLERK: Okay, thank you. Okay. I have him connected by
22 telephone whenever you're ready.

23 JUDGE MEDLEY: Okay. So, we don't have his video?

24 CLERK: I believe his computer probably needs restarting, so I can
25 bring him on at -- if he can let me know by and when he's ready and I can
26 reconnect it.

1 JUDGE MEDLEY: Okay.

2 JUDGE WEINSCHENK: I'm ready now if you want to bring him in.

3 CLERK: Okay, reconnecting, stand by. And once we reconnect,
4 you'll need to drop the phone call.

5 JUDGE WEINSCHENK: Okay.

6 CLERK: And when you're ready, you hit Start by Video, top right
7 corner. Right, we can see you. Can you hear us now?

8 JUDGE WEINSCHENK: Yes. Can you hear me?

9 CLERK: Yes, sir. Thank you.

10 JUDGE MEDLEY: Okay, Mr. Mason, you can restart. You were
11 only a minute into your presentation or a little over a minute, so if you'd like
12 to restart or start from where you left off is fine.

13 MR. MASON: I'll just jump in where I left off. Can Your Honor
14 hear me?

15 JUDGE MEDLEY: Yes, thank you.

16 MR. MASON: Okay, great. Thank you. I'll just jump in where I left
17 off.

18 In short, the reply brief and the accompanying exhibits, including
19 additional background references that further confirmed Dr. Bims' original
20 testimony that our challenged claims are unpatentable. And because of that
21 showing, we submit that the Board should find each challenged claim
22 unpatentable.

23 If we jump to slide 2, we have our shorthand for several of the
24 exhibits.

25 Slide 3 also lists the shorthand that I will use today for two of the
26 central exhibits in this case. On slide 3, I'm going to talk about Exhibit 1006

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