

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESIDEO TECHNOLOGIES, INC. and
CENTRAL SECURITY GROUP -- NATIONWIDE, INC.,
Petitioners,

v.

UBIQUITOUS CONNECTIVITY, LP,
Patent Owner.

IPR 2019-01335 (Patent 8,064,935 B2)
IPR 2019-01336 (Patent 9,062,655 B2)

Record of Oral Hearing
Held: October 27, 2020

Before JEAN R. HOMERE, JOHN F. HORVATH, and
MELISSA A. HAAPALA, *Administrative Patent Judges*.

IPR 2019-01335 (Patent 8,064,935 B2)

IPR 2019-01336 (Patent 9,062,655 B2)

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The above-entitled matter came on for hearing on Monday,
October 26, 2020, commencing at 1:00 p.m. EDT, by video/by telephone.

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IPR 2019-01336 (Patent 9,062,655 B2)

1 PROCEEDINGS

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3 JUDGE HORVATH: Good morning, everyone, or afternoon, I
4 should say. This is Judge Horvath with the Patent Trial and Appeal Board.
5 With me are Judges Homere and Haapala. We are here for a proceeding IPR
6 2019-01335 and -01336, captioned *Resideo Technologies v. Ubiquitous*
7 *Connectivity*. And Central Security Group -- Nationwide has been joined as
8 a party to this proceeding -- or to these proceedings.

9 If I can ask now that -- well, before I do that let me say that we have
10 had -- the parties have requested 60 minutes of oral argument time per side.
11 And in addition to that, Resideo Technologies has asked that one of its
12 counsel be able to participate as a LEAP participant, which is a program in
13 which newer counsel is permitted to -- or given the opportunity to present
14 for a party. And because they are new and have not presented previously, or
15 have only presented a limited number of times, we extend to them a little
16 extra time to present.

17 So, Resideo requested that one of their counsel be admitted as a
18 LEAP participant. That request was granted, and they are granted 15 extra
19 minutes. So, Resideo will have 75 minutes to present their arguments. Or I
20 should say the Plaintiffs, being Resideo Technologies and Central Security
21 Group, will have 75 minutes. And the Patent Owner, Ubiquitous, will have
22 the 60 minutes originally granted.

23 So, with that being said, can I ask counsel for -- Petitioner are you on
24 the line and can you identify yourself, please?

25 MR. PLEUNE: Yes, Your Honor, this is Ben Pleune on behalf of
26 Petitioner Resideo. And with me is my colleague, Adam Doane, who is the
27 LEAP participant that you just mentioned.

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1 JUDGE HORVATH: Okay, thank you, Mr. Pleune. And counsel for
2 Central Security Group -- Nationwide, are you on the line?

3 MS. SCHONEWALD: I am, Your Honor. This is Stephanie
4 Schonewald.

5 JUDGE HORVATH: Thank you, Ms. Schonewald. And you'll
6 excuse me, I'm just taking notes here. And counsel for Ubiquitous
7 Connectivity are you on the line?

8 MR. ALEXANDER: Yes, Your Honor, this is Cortney Alexander
9 with Kent & Risley.

10 JUDGE HORVATH: Okay, thank you, Mr. Alexander. So, as I said,
11 both sides have been granted 60 minutes, and Resideo has been granted an
12 extra 15 minutes because of the participation of Mr. Doane as a LEAP
13 practitioner.

14 First of all, I'd like to thank everyone for -- we apologize for not
15 being able to have in-person hearings given the COVID-19 pandemic. So,
16 we appreciate everyone's cooperation and these hearings have generally
17 gone pretty smoothly. We do have a court reporter on the line. And in the
18 event that counsel should have video connection problems or audio
19 connection problems, we will hopefully pick that up as, you know, quickly
20 and, you know, give everybody the opportunity to try to reconnect. And
21 then we have the court reporter who can let us know at what point that
22 happened and try to reconstruct where people dropped off. Hopefully, this
23 doesn't happen. But, you know, we'll try to handle that situation as best we
24 can.

25 So, with all that being said, Mr. Pleune, I don't know if you're
26 planning first or if Mr. Doane is planning on presenting first. But if you can

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1 let us know -- would you like to reserve any time for rebuttal and if so, how
2 much?

3 MR. PLEUNE: Yes, I'll be presenting first, Your Honor. And we'd
4 like to reserve 15 minutes for rebuttal.

5 JUDGE HORVATH: Was that 15 minutes?

6 MR. PLEUNE: Yes, Your honor.

7 JUDGE HORVATH: Okay, thank you. That will give you 60
8 minutes total time to present your argument. Again, there are two cases, and
9 you can present them in any order you want. If you want to present one case
10 and then followed by the other or if you just simply want to present issues,
11 it's your time to proceed as you see fit. Let me set my stopwatch here. So,
12 you will have -- you've reserved 15 minutes, so you will have 60 minutes to
13 present your principal case. I will set my stopwatch here for 60 minutes. I
14 will give you a warning when you are 5 minutes about to expire and then a
15 second warning when your 2 minutes about to expire, and then we'll let you
16 know when your 60 minutes has expired.

17 So, just let me set the time here. Give me a few seconds. And you
18 may begin.

19 MR. PLEUNE: Thank you, Your Honor. The claims of the '935 and
20 '655 patents are obvious in light of the cited prior art. For many of the
21 claims, Patent Owner concedes that all the limitations are disclosed by the
22 prior art. For the others, the additional limitations were well known as of the
23 priority date of the '935 and '655 patents. And were well known for the very
24 purpose for which those elements are recited in the claims.

25 And so, I'd like to begin with our roadmap, which is Slide No. 2.
26 And to address the point that you just made, Your Honor, we're going to
27 really handle this with issues. We do have those broken up by patent and we

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