

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

TELA INNOVATIONS, INC.,
Patent Owner.

IPR2019-01520 (Patent 10,186,523)
IPR2019-01521 (Patent 10,186,523)
IPR2019-01522 (Patent 10,186,523)
IPR2019-01636 (Patent 10,141,334)
IPR2019-01637 (Patent 10,141,335)

Record of Oral Hearing
Held: December 9, 2020

Before JO-ANNE M. KOKOSKI, KRISTINA M. KALAN, and
WESLEY B. DERRICK, *Administrative Patent Judges*.

IPR2019-01520 (Patent 10,186,523)
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IPR2019-01637 (Patent 10,141,335)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ON BEHALF OF THE PATENT OWNER:

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The above-entitled matter came on for hearing on Wednesday,
December 9, 2020, commencing at 1:00 p.m., EDT, by video/by telephone.

IPR2019-01520 (Patent 10,186,523)
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1 PROCEEDINGS

2 - - - - -

3 JUDGE KOKOSKI: Good afternoon. Today we will hear
4 arguments in IPR 2019-01520, 01521, 01522, 01636, 01637. I
5 am Judge Kokoski and I am joined today by Judge Kalan and
6 Judge Derrick. Let's start with appearances beginning with
7 Petitioner.

8 MR. NYUGEN: Your Honors, Bao Nyugen from Kirkland
9 & Ellis. I will be speaking on behalf of Petitioner and with me
10 on the video is Todd Friedman who is lead counsel.

11 JUDGE KOKOSKI: Thank you. Patent Owner?

12 MR. ZAPPIA: Andrew Zappia for Patent Owner and I have
13 with me Gunnar Leinberg, lead counsel and Bryan Smith.

14 JUDGE KOKOSKI: Thank you. Consistent with our
15 Hearing Order, each party has 90 minutes to present their
16 arguments and you can allocate your time between the cases as
17 you wish. Petitioner will open the hearing with their 90 minutes
18 and may reserve time for rebuttal. Petitioner, how much time
19 would you like to reserve for your rebuttal?

20 MR. NYUGEN: Your Honors, we will reserve 30 minutes
21 for rebuttal.

22 JUDGE KOKOSKI: Thirty minutes?

23 MR. NYUGEN: Yes, yes Your Honor.

24 JUDGE KOKOSKI: Okay. Okay. Patent Owner will then

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1 have 90 minutes to present their case and may reserve time for
2 surrebuttal. How much time would you like to reserve, Patent
3 Owner?

4 MR. ZAPPIA: Twenty minutes for surrebuttal, Your
5 Honor.

6 JUDGE KOKOSKI: Okay, thank you. In light of the
7 amount of time granted to the parties for the arguments this case
8 is a little longer than normal. I mean it's likely that we might
9 need to take a short break somewhere around the halfway point
10 or whenever we can do so with the least disruption to the
11 proceedings but we'll see how the afternoon goes.

12 Before we begin I would like to remind the parties that we
13 each have a copy of the demonstratives that you provided.
14 During your argument, please identify clearly and specifically
15 the demonstrative reference by slide or screen number so that
16 everyone can follow along and to assure clarity and accuracy of
17 the court reporter's transcript. We also request that you keep
18 your line muted when you are not speaking and also please keep
19 in mind that the remote nature of this hearing may result in audio
20 lag so please pause prior to speaking so as to avoid speaking
21 over others. I'll also remind the parties that this hearing is open
22 to the public and we do have an audio line open to the public
23 today. Therefore, the parties should avoid disclosing any
24 confidential information during their arguments. We will keep

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1 track of the time and try to give you a reminder close to the end
2 but we encourage the parties to keep track of your own time as
3 well. With that, I think Petitioner you can begin when you're
4 ready.

5 MR. NYUGEN: Thank you, Your Honors. Your Honors,
6 my name is Bao Nyugen from Kirkland & Ellis and as I said
7 earlier I will be presenting on behalf of Petitioner Intel
8 Corporation. I will start with the three IPR that are directed to
9 the '523 patent and then I will address the two IPR that are
10 directed to the '334 and '335 patents.

11 On slide 3 is a summary of the challenged claims of the
12 '523 patent. The three IPRs challenge the 24 claims of the '523
13 patent but using a single common prior art ground which is Yano
14 in view of Kitabayashi and Ikoma renders obvious all of the
15 challenged claims and because of that single prior art ground the
16 issues that are in dispute in this case actually allows the common
17 across all (indiscernible) and the patent at the later briefing, for
18 example the reply (phonetic) (indiscernible) as well.

19 Your Honors, before getting into the disputed issues I
20 would like to give a brief overview of the '523 patent and the
21 prior art, and so on slide 4 there's a brief overview of the '523
22 patent. The '523 patent, as the Patent Owner in fact describes in
23 its Patent Owner reply that is cited, that's part black (phonetic)
24 of the slide is about the layout, the regular layout in which

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