

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTEL CORPORATION,  
Petitioner,

v.

TELA INNOVATIONS, INC.,  
Patent Owner.

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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)

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Record of Oral Hearing  
Held: December 9, 2020

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

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)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

BAO NYUGEN, ESQ  
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ON BEHALF OF THE PATENT OWNER:

ANDREW P. ZAPPIA, ESQ.  
GUNNAR LEINBERG, ESQ.  
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New York, NY 10022

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

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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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