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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC.
Petitioner,
v.
IMPLICIT, LLC
Patent Owner.

Case No. IPR2020-00585
U.S. Patent 8,694,683

TELEPHONIC HEARING
BEFORE THE PATENT TRIAL AND APPEALS BOARD
Thursday, May 21, 2020

REPORTED BY: LYNNE M. LEDANOIS, C.S.R. 6811
Job No. 4120982

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REMOTE APPEARANCES

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Thursday, May 21, 2020

8:02 a.m.

PTAB JUDGE: We are here today
regarding IPR 2020-585, 586, 587, 590, 591 08:00
and 592.

The parties are Petitioner Juniper
Networks, Incorporated and Patent Owner
Implicit, LLC.

Judges Gianetti, McShane and Kahn are 08:00
also on the line with me.

Who's representing petitioner today?

MR. LINDSAY: This is Jonathan Lindsay
for petitioner.

MR. McPHIE: And I'm on the call as 08:01
well, David McPhie for petitioner.

PTAB JUDGE: And for patent owner?

MR. HURT: Yes, Your Honor. This is
Christian Hurt from the Davis Firm here on
behalf of Implicit, LLC. 08:01

PTAB JUDGE: Do we have a court
reporter on the line?

THE REPORTER: Good morning. We do.
This is Lynne Ledanois.

PTAB JUDGE: Who arranged for the 08:01

1 court reporter? 08:01

2 MR. LINDSAY: That would be

3 petitioner, Your Honor.

4 PTAB JUDGE: Will petitioner file a

5 transcript of the call as an exhibit? 08:01

6 MR. LINDSAY: Yes, of course.

7 PTAB JUDGE: Thank you.

8 So, starting the call today,

9 petitioner sent an email requesting leave to

10 file a reply, nowhere in the seven pages, to 08:02

11 patent owner's preliminary response.

12 The subject matter is limited to the

13 rebuttal of patent owner's 325(b) argument.

14 The email indicated that patent owner

15 opposes petitioner's request. 08:02

16 Let's start with the petitioner. Is

17 the summary I just gave of your request

18 correct?

19 MR. LINDSAY: Yes, Your Honor, that's

20 correct. 08:02

21 PTAB JUDGE: Is the petitioner opposed

22 to patent owner having a sur-reply that's

23 the same length as the petitioner's reply?

24 MR. LINDSAY: We are. We're not

25 opposed to a sur-reply, but we think it 08:02

1 should be materially shorter. And I can 08:02
2 tell you a reason if you would like.

3 PTAB JUDGE: Yes. We have the record,
4 just to let you know, so we're familiar with
5 the record. So maybe that will save you 08:03
6 some time.

7 MR. LINDSAY: Okay. One of the
8 reasons why we think there's cause to file a
9 reply is the Advanced Bionics' decision
10 being made precedential. 08:03

11 And in that case, which is, for the
12 record, IPR 2019-01469, Paper 6, that was
13 made --

14 PTAB JUDGE: Just to assist, yes, we
15 are familiar with the case and the record, 08:03
16 so if that's helpful.

17 MR. LINDSAY: Yes, of course.

18 So the decision was made precedential
19 more than two months before patent owner
20 filed its preliminary response. 08:03

21 So they had an opportunity to address
22 it, but chose not to for whatever reason,
23 where, of course, it was made precedential
24 after the petitions were filed.

25 A second reason is that they addressed 08:04

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