

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASETEK DANMARK A/S,
Petitioner,

v.

COOLIT SYSTEMS, INC.,
Patent Owner.

IPR2020-00747
Patent 9,057,567 B2

Record of Oral Hearing
Held Virtually: Tuesday, June 22, 2021

Before FRANCES L. IPPOLITO, SCOTT C. MOORE, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

IPR2020-00747
Patent 9,057,567 B2

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The above-entitled matter came on for hearing on Tuesday, June 22,
2021, commencing at 11:00 a.m. EST, by video/by telephone.

1 PROCEEDINGS

2 JUDGE MOORE: We're on the record. Good morning
3 everyone. This is Judge Scott Moore and I'm joined by my
4 colleagues, Judges Frances Ippolito and Brent Dougal. And
5 we're here today for the oral hearing in IPR 2020-00747,
6 Asetek Danmark A.S. v. CoolIT Systems, Inc. involving U.S.
7 Patent 9,057,567 B2. Let's begin by taking appearances.
8 First, who is here today on behalf of Petitioner?

9 MS. BHATTACHARYYA: Good morning, Your Honors.
10 This is Arpita Bhattacharyya for Petitioner Asetek Danmark
11 A.S. and I am joined by lead counsel, Eric Raciti.

12 MR. RACITI: Good morning, Your Honors.

13 JUDGE MOORE: Welcome to both of you.
14 And then for Patent Owner who is here?

15 MR. CHEN: Yes. Good morning, Your Honors. You
16 have Reuben Chen from Cooley LLP on behalf of Patent Owner,
17 CoolIT Systems, Inc., and with me is lead counsel Lloyd
18 Pollard, as well as my colleague Dustin Knight.

19 JUDGE MOORE: Welcome to you as well.

20 MR. CHEN: Thank you.

21 JUDGE MOORE: So as everyone knows, this is a video
22 hearing. We've got a great group of IT professionals here at
23 the Board who make sure things generally run pretty smoothly,
24 but if you have any technical difficulties during this

1 hearing please let us know and we'll find a way to work
2 around it.

3 It's also important that we try to avoid speaking
4 over one another. That can be a bit tricky in a multi-party
5 video conference like this but please try to do your best and
6 the court reporter will be grateful. Please also ensure that
7 your microphone is muted when you're not speaking. Even if
8 it's silent around you sometimes having unmuted microphones
9 can cause feedback and then there's also unexpected noises as
10 well. So it's best that anyone who is not speaking keep
11 their microphone muted.

12 So we have copies of both parties' demonstratives
13 here but we'd like to ask the parties, to repeat what we said
14 in our scheduling order, to please make sure that you
15 identify each demonstrative exhibit that you discuss by page
16 number. It will make it easier for the reporter to keep an
17 accurate record and it also helps us follow along.

18 Now there's a public audio line that was requested
19 for at least one of these two proceedings. I'm not certain
20 whether it was the first or the second one. So I'd like
21 counsels to be aware of that. I don't believe that either
22 party requested a protective order in the first proceeding
23 but there was a request for a protective order in the second
24 proceeding so counsels should proceed with the fact that
25 members of the public may be listening in or may have access
26 to the transcript. Counsels should proceed with that

1 understanding.

2 So before we begin today's hearing we had a brief
3 off-the-record discussion with counsels and we changed the
4 time allocations somewhat with the agreement of counsels.
5 Each party is going to be granted a total of 45 minutes
6 argument time for each of the two proceedings we're hearing
7 here today. So we're going to have separate hearings for
8 each of the two proceedings. We'll begin with the hearing
9 for the case I just announced, IPR 2020-00747. Each party
10 will have a total of 45 minutes of argument time for this
11 proceeding, then we'll take a big -- a short recess, and then
12 we'll have a separate oral hearing for the second proceeding.

13 So for this oral hearing we'll begin with
14 Petitioner who will argue its case-in-chief. Petitioner
15 should also use this time to present its arguments. I
16 believe in this case Petitioner just has the case-in-chief.
17 It didn't file any motions. So after Petitioner presents its
18 case-in-chief -- and Petitioner can also reserve time for
19 rebuttal -- we'll move onto Patent Owner that will present
20 its arguments regarding the patentability of the original
21 claims and any motions it wishes to argue. Patent Owner also
22 will be allowed to reserve a short amount of time if it
23 wishes to do so for sur-rebuttal. Then, if Petitioner has
24 reserved time for rebuttal we'll proceed onto Petitioner and
25 then onto Patent Owner's sur-rebuttal.

26 Judge Ippolito will be watching the clock but I

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