

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK, L.L.C.,
DISH TECHNOLOGIES L.L.C., and
SLING TV, L.L.C.,
Petitioner,

v.

SOUND VIEW INNOVATIONS, LLC,
Patent Owner.

IPR2020-01041
Patent 6,725,456 B1

Record of Oral Appeal Hearing
Held: October 19, 2021

Before DEBRA K. STEPHENS, DANIEL J. GALLIGAN, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

IPR2020-01041
Patent 6,725,456 B1

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above entitled matter came on for hearing on Tuesday, October 19, 2021, commencing at 10:00 a.m. EST, by video/by telephone.

1 P R O C E E D I N G S

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3 JUDGE GALLIGAN: Good morning. This is a hearing for
4 IPR2020-01041. Petitioners are Dish Network, LLC; Dish
5 Technologies, LLC; and Sling TV, LLC. Patent Owner is Sound View
6 Innovations, LLC. The patent is 6,725,456 B1.

7 I'm Administrative Patent Judge Galligan and with me are
8 Administrative Patent Judges Stephens and Hudalla.

9 May I have appearances of counsel first starting for
10 Petitioner?

11 MR. WEBER: Good morning, Your Honor. My name is Brock
12 Weber, counsel for Petitioners. I'm with the law firm Pillsbury,
13 Winthrop, Shaw, Pittman, and on the public audio line is lead
14 counsel, Matt Hindman.

15 JUDGE GALLIGAN: Thank you, Mr. Weber.

16 For Patent Owner?

17 MR. HENDIFAR: Good morning, Your Honor. Parham
18 Hendifar of Lowenstein & Weatherwax, backup counsel for Patent
19 Owner. Here with me, Mr. Nathan Lowenstein, also backup counsel
20 for Patent Owner. And on video, lead counsel, Mr. Kenneth
21 Weatherwax.

22 JUDGE GALLIGAN: Thank you, Mr. Hendifar.

23 As set forth in the oral hearing order, each party has
24 one hour of argument time. Our first priority is your right to be
25 heard, so if, at any time, during the hearing you encounter
26 technical or other difficulties that you feel undermine your

1 ability to adequately represent your client, please let us know
2 immediately, and you may need to do this by contacting the team
3 who provided you with the connection information.

4 And if you stop hearing and drop off, if you'd just try
5 to note what was discussed so we can figure out where to pick up,
6 we'll also, you know, try to see if someone drops off as well on
7 the video.

8 Please mute your microphone and only unmute when you're
9 speaking. Please identify yourself when you speak so the
10 transcript accurately reflects the speaker.

11 When referring to an item in the record, please do so
12 with specificity so that the panel can follow along and for
13 clarity in the transcript. We have all the papers and the
14 demonstratives, so if you can identify the demonstratives by slide
15 number, for instance, the paper by -- the paper you're referring
16 and the page of the paper.

17 And there is a public audio line, and there wasn't
18 any -- I don't know if anyone is listening to that. I know,
19 Mr. Hendifar, you mentioned that one of the counsel's on there. I
20 don't know if anyone else is on there, but just, you know, I don't
21 think there's any public information or confidential information
22 to be discussed. If there's any concern, I think the parties are
23 supposed to raise that before.

24 So, with that, Petitioner, you'll proceed first, and you
25 may reserve time for rebuttal, and Patent Owner, Petitioner
26 reserves time for rebuttal. You may have a sur-rebuttal.

1 Petitioner, would you like to reserve any time for
2 rebuttal?

3 MR. WEBER: Thank you, Your Honor. Yes, I'd like to
4 reserve 20 minutes for rebuttal.

5 JUDGE GALLIGAN: Okay. So it's about 10:04, and you may
6 begin. And so about 10:44, you know, you'll be up at the first 40
7 minutes. I'll kind of keep a general clock but you might want to
8 keep one as well. Go ahead. Thank you.

9 MR. WEBER: Thank you, Your Honor. Again, this is Brock
10 Weber, counsel for Petitioners Dish Network, Dish Technologies,
11 and Sling TV. And may it please the Board, is it best to proceed
12 by sharing my desktop so you can see the demonstratives, even
13 though you do have a copy yourselves?

14 JUDGE GALLIGAN: No, I would just present and then refer to
15 the demonstratives and we'll follow along.

16 MR. WEBER: Thank you. Thank you, Your Honors. As the
17 Board knows, we're here to discuss the invalidity of the '456
18 patent, in particular based on the two grounds presented in our
19 petition. The first ground is an obviousness ground over the
20 Durand patent -- that's Exhibit 1006 -- in view of the Bennett
21 paper. That's Exhibit 1008.

22 And then ground two is obviousness over the Goyal paper.
23 That's Exhibit 1007. And also in view of the Bennett paper,
24 Exhibit 1008.

25 And the Board is presented today with only one claim
26 from this patent, Claim 13. As established in the petition, claim

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