

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

XILINX, INC. and
TAIWAN SEMICONDUCTOR MANUFACTURING CO. LTD.,
Petitioner

v.

ARBOR GLOBAL STRATEGIES LLC,
Patent Owner.

IPR2020-01567 (Patent 7,126,214 B2)
IPR2020-01568 (Patent 7,282,951 B2)
IPR2020-01570 (Patent RE 42,035)
IPR2020-01571 (Patent 6,781,226 B2)

Record of Oral Hearing
Held Virtually: December 3, 2021

Before KARL D. EASTHOM, BARBARA A. BENOIT and
SHARON FENICK, *Administrative Patent Judges*.

IPR2020-01567 (Patent 7,126,214 B2)
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IPR2020-01570 (Patent RE 42,035)
IPR2020-01571 (Patent 6,781,226 B2)

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The above-entitled matter came on for hearing on Friday, December 3, 2021, commencing at 9:00 a.m. EST, via Video Teleconference.

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1 PROCEEDINGS

2 9:00 a.m.

3 JUDGE EASTHOM: Good morning. This is Judge Easthom and
4 with me is Judges Benoit and Fenick. This is case Xilinx Inc. and Taiwan
5 Semiconductor Manufacturing Company, Ltd., versus Arbor Global
6 Strategies, LLC.

7 The case numbers are IPR 2020-01567, -01568, -01570, and -01571.
8 The patents in respective order are patent 7,126,214 B2, 7,282,951 B2,
9 Reissue 42,035 E, and then 6,781,226 B2. Who do we have on the record
10 for Petitioner?

11 MR. SHNEIDMAN: Good morning, Your Honors. This is Jeffrey
12 Shneidman of Fish & Richardson and I am joined here today on behalf of
13 Petitioner Xilinx by my co-counsel David Hoffman and Kenneth Darby.

14 JUDGE EASTHOM: Welcome, gentlemen. So, Mr. Shneidman,
15 will you be presenting first or for most of it?

16 MR. SHNEIDMAN: Yes, sir, that is correct.

17 JUDGE EASTHOM: Great, okay, and then who do we have for
18 Patent Owner?

19 MR. HANNAH: Good morning, Your Honor. This is James
20 Hannah on behalf of Arbor, and with me is Jeffrey Price and Jenna Fuller,
21 and Mr. Price will be taking the lead on the argument today.

22 JUDGE EASTHOM: Okay.

23 MR. PRICE: Good morning, Your Honors.

24 JUDGE EASTHOM: Good morning, Mr. Price, and Mr. Hannah,
25 and Ms. Fuller. Okay, just a few ground rules really quickly. I think you're

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1 all familiar with the procedure here. I just want to make sure that everybody
2 knows that first of all, we're very grateful for your flexibility in conducting
3 this video hearing telephonically. We know it's a departure from our past
4 practices, but we're sort of used to it now.

5 Still, our primary concern is that you all have the right to be heard,
6 so anytime during this proceeding that anything goes awry, if you can't hear
7 or you can't see, please let us know immediately if you can. There are some
8 numbers you can call if you totally get cut off. For example, one of them is
9 571-272-6666 or you can call the Board at 571-272-9797.

10 And please, when you're not speaking, please mute yourself, and
11 when you first start speaking, introduce yourself or at least the first few
12 times until the court reporter and everybody gets used to you. I think your
13 name will show up, so maybe we don't need to do that except for the first
14 time. If the court reporter wants to let us know, that would be helpful if they
15 can't tell who is speaking.

16 But other than that, we can see the entire records, including
17 demonstratives, so, and when you refer to them, please give us the name and
18 clearly the slide number and the page number, and then just pause a couple
19 seconds so that we can turn to it and we know where you're going.

20 And then just a matter of bookkeeping, Petitioner is going to go first.
21 They have the burden of proof. Patent Owner will go next to rebut that case,
22 and then any rebuttal time that Petitioner reserves, then Petitioner can then
23 address Patent Owner's arguments, and then Patent Owner can address
24 Petitioner in sur-reply arguments.

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