

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AVEPOINT, INC.,  
Petitioner,

v.

ONETRUST, LLC,  
Patent Owner.

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Case PGR2018-00056  
Patent 9,691,090 B1

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Record of Oral Hearing  
Held: June 28, 2019

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Before BART A. GERSTENBLITH, CARL M. DeFRANCO, and  
MATTHEW S. MEYERS, *Administrative Patent Judges*.

Case PGR2018-00056  
Patent 9,691,090 B1

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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ALSO PRESENT:

ANDREW SAUL

The above-entitled matter came on for hearing on Friday, June 28, 2019, commencing at 1:00 p.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia

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

1:00 p.m.

JUDGE GERSTENBLITH: Good afternoon, everyone. We are here for oral argument in PGR2018-00056, AvePoint, Inc. vs. OneTrust, LLC.

I'm Judge Gerstenblith. Let's see, to my left up here is Judge Meyers, and on the phone is Judge DeFranco.

Let's see, starting with Petitioner, let's have each party come up to the podium and introduce yourself and who's with you, please.

MR. EVANS: Good afternoon, Your Honors. My name is Nathan Evans from the law firm of Woods Rogers, PLC. I'm here to present the case on behalf of the Petitioner, AvePoint, Inc.

I am joined by my colleague from Woods Rogers, Mr. Joshua Long.

MR. LONG: Hello, Your Honors.

JUDGE GERSTENBLITH: Welcome.

MR. LONG: Thank you.

MR. REED: Good afternoon, Your Honors. My name is David Reed. I'm here on behalf of the Patent Owner OneTrust, LLC. With me are my colleagues, Nita Gray and Andrew Saul. And Ms. Gray will be assisting me with exhibits and demonstratives.

JUDGE GERSTENBLITH: Welcome.

1 MR. REED: Thank you.

2 JUDGE GERSTENBLITH: We set forth the procedure for today's  
3 hearing in our trial order which is Paper 37. Each side will have 60 minutes  
4 of total argument time.

5 We'll begin with Petitioner who will start with its case in chief. And  
6 Petitioner may reserve time for rebuttal. Then we will turn to Patent Owner,  
7 who may respond to the case in chief and also reserve time for rebuttal. And  
8 then we will go to whatever time folks have reserved for rebuttal.

9 Let's see here. I have a timer up here that, let's see, must show you up  
10 in front. I can set it for any time you want up to 60 minutes. And so if you  
11 wanted to say reserve 15, I can set it for 45 or whatever interval you want, so  
12 it can count down from there and let you know.

13 Has everybody -- I'm sorry, Petitioner. Petitioner, have you handed a  
14 copy of demonstratives to the Court Reporter?

15 MR. EVANS: So, Your Honor, I apologize. It's a dubious way to  
16 start today, but we had technical difficulties and did not print a hard copy. I  
17 can, as soon as this is over, get a hard copy printed and bring it back to the  
18 Board if that works for the Board. I apologize, I don't have a hard copy.

19 JUDGE GERSTENBLITH: It looks like the Patent Owner wants to  
20 say something. Okay.

1 MR. REED: Yes, Your Honor, we have hard copies of both parties'  
2 demonstratives. So we're happy to provide hard copies for both parties.

3 MR. EVANS: Thank you. If that please the Court, I'd appreciate it,  
4 David. Thank you.

5 MR. REED: Of course.

6 JUDGE GERSTENBLITH: Okay, that would be great.

7 MR. EVANS: Thank you. And I apologize again, Your Honors.

8 JUDGE GERSTENBLITH: Understood, understood. So we'll let  
9 Patent Owner go ahead and help you hand those out.

10 MR. EVANS: Thanks, David.

11 MR. REED: These are Petitioner's demonstratives.

12 JUDGE GERSTENBLITH: Okay. I have a set.

13 MR. REED: You have a set?

14 JUDGE GERSTENBLITH: Yes, thank you. Thank you, Mr. Reed,  
15 right?

16 MR. REED: Yes, Your Honor, thank you.

17 JUDGE GERSTENBLITH: Now, because we have two judges  
18 appearing remotely, and even if we had one this would still apply, they're not  
19 able to see the slide screen here.

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