

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NINTENDO CO., LTD.
AND NINTENDO OF AMERICA, INC.,

Petitioner(s),

Case No.
IPR2021-01338

vs.

ANCORA TECHNOLOGIES, INC.,

Patent Owner(s).

ROKU, INC. AND VIZIO, INC.

Petitioner(s),

Case No.
IPR2021-01406

vs.

ANCORA TECHNOLOGIES, INC.,

Patent Owner(s).

REMOTE TELECONFERENCE MEETING

Friday, August 15, 2025

10:30 a.m.

REPORTED BY:

BRITTANY ZICCARDI

NOTARY PUBLIC

APPEARING REMOTELY FROM BENSALEM, PENNSYLVANIA

Roku EX1057
Roku v. Ancora
IPR2021-01406

1 REMOTE APPEARANCES:

2
3 STERNE, KESSLER, GOLDSTEIN & FOX PLLC
4 BY: RICHARD CRUDO, ESQUIRE
5 LESTIN KENTON, ESQUIRE
6 1100 New York Avenue Northwest, 600
7 Washington, DC 20005
8 rcrudo@sternekessler.com

9 Counsel for Roku

10 PERKINS COIE
11 BY: KYLE CANAVERA, ESQUIRE
12 JESSICA C. KAISER, ESQUIRE
13 11452 El Camino Real, Suite 300
14 San Diego, CA 92130
15 kcanavera@perkinscoie.com

16 Counsel for Nintendo

17
18 KELLEY DRYE
19 BY: VINCENT FERRARO, ESQUIRE
20 One Jefferson Road, 2nd Floor
21 Parsippany, NJ 07054
22 vferraro@kelleydrye.com

23 Counsel for Vizio

24
25 FITCH EVAN
26 BY: NICHOLAS T. PETERS, ESQUIRE
27 120 South LaSalle Street, Suite 2100
28 Chicago, IL 60603
29 ntpete@fitcheven.com

30 Counsel for Ancora Technologies

31 PATENT TRIAL AND APPEAL BOARD JUDGES:

32 Judge Thu A. Dang

33 Judge Kevin W. Cherry

34 Judge Ryan H. Flax

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX		
PROCEEDINGS		5
ADJOURNMENT		13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO EXHIBITS
FRIDAY, AUGUST 15, 2025

MARKED	DESCRIPTION	PAGE
	(None offered.)	

1 REPORTED REMOTELY FROM BENSLEM, PENNSYLVANIA
2 FRIDAY, AUGUST 15, 2025

3 - - - - -

4 THE COURT: Good morning. This is
5 the conference call for IPR2021-01338 with
6 Petitioner Nintendo versus Patent Owner
7 Ancora and IPR2021-01406 with Petitioners
8 Roku and Vizio versus Patent Owner Ancora.

9 I am Judge Thu Dang from the Patent
10 Trial and Appeal Board. With me on the phone
11 are judges Ryan Flax and Kevin Cherry.

12 Before we begin, is there a court
13 reporter on the phone?

14 MS. REPORTER: Hi, yes. My name is
15 Brittany Ziccardi, and I am the court
16 stenographer.

17 THE COURT: Okay. And you are with
18 whom? Are you with the petitioners or --

19 MR. CRUDO: Your Honor, this is
20 Richard Crudo on behalf of Petitioner Roku.
21 The petitioners collectively retained the
22 court reporter for today's conference.

23 THE COURT: With that, let's start
24 with appearances.

25 Who do we have on the line for

1 Petitioner Nintendo?

2 MR. CANAVERA: Good morning, your
3 Honor. This is Kyle Canavera from Perkins
4 Coie. I represent the petitioners for
5 Nintendo. I'm joined by my co-counsel,
6 Jessica Kaiser.

7 THE COURT: Okay. And then who do
8 we have for Petitioner Roku?

9 MR. CRUDO: Good morning, your
10 Honors. Richard Crudo from Sterne and
11 Kessler on behalf of Petitioner Roku. Also
12 on the line with me is my colleague, Lestin
13 Kenton.

14 THE COURT: I'm sorry? Kenton?

15 MR. CRUDO: Yes. Lestin Kenton, my
16 colleague, is also on the line on behalf of
17 Roku.

18 THE COURT: Okay. Great. Thank
19 you.

20 And Petitioner Vizio?

21 MR. FERRARO: Good morning. This
22 is Vincent Ferraro from Kelley Drye on behalf
23 of Petitioner Vizio.

24 THE COURT: Okay. Great.

25 And who do we have for Patent Owner

1 Ancora?

2 MR. PETERS: Nicholas Peters from
3 Fitch Even.

4 THE COURT: Okay. Great. Thank
5 you so much. Thank you, everybody, for being
6 here.

7 So pursuant to SOP3, we arranged
8 this call to make sure that everyone is on
9 the same page with respect to the remand
10 procedures.

11 So we received the remand
12 procedures bullet points from Petitioner
13 Roku, Mr. Crudo; am I correct? And so --

14 MR. CRUDO: Yes, your Honor.

15 THE COURT: I'm sorry? Yes, okay.
16 Great.

17 MR. CRUDO: That's correct.

18 THE COURT: Yes, okay. Thank you.

19 Okay. So with that, let's look at
20 the remand procedure bullet points, and we
21 can go through them and see if anybody has
22 any questions or comments or anything to add
23 to that. Okay?

24 So with that, starting with the
25 first bullet point, so I guess the parties

1 agree that within two weeks after this call
2 they are -- that they may file a ten-page
3 brief addressing the Federal Circuit's, I
4 guess, decision and in particular the patent
5 owner's licensing evidence; is that correct?

6 So let's go through with that. I
7 just want to make sure. Is everybody on page
8 with a ten-page brief and that we are
9 basically limiting the brief to just
10 addressing the Federal Circuit's decision
11 concerning a section about the licensing
12 evidence; is that correct? Let's start with
13 the petitioner.

14 And the petitioner, if you would
15 like to start, if you have any comments or
16 concerns about that?

17 MR. CRUDO: Sure. Your Honor, this
18 is Richard --

19 MR. CANAVERA: Your Honor --

20 MR. CRUDO: Go ahead, Kyle.

21 Okay. I'll start. This is Richard
22 Crudo on behalf of Petitioner Roku. That is
23 correct. That's the agreed-upon proposal.
24 And just to be clear, the briefing would
25 address the Federal Circuit's decision into

1 the licensing evidence, which would include
2 the NEXIS, reassessing NEXIS for both the
3 high-value and low-value licenses, and if the
4 Board were to find that there is indeed a
5 NEXIS, to weigh that evidence against the
6 prima facie case of obviousness that the
7 Federal Circuit affirmed.

8 So I just want to be clear that
9 that would be the full scope of the briefing
10 in our review.

11 THE COURT: Okay. Great. Thank
12 you.

13 And I thought I heard somebody else
14 wanted to add something to that?

15 MR. CANAVERA: Yes, your Honor.
16 This is Kyle Canavera for Nintendo, but
17 Mr. Crudo covered the points I intended to.

18 THE COURT: Okay. Great.

19 And, Mr. Peters, for Patent Owner,
20 do you have anything to add?

21 MR. PETERS: No, your Honor. The
22 decision was pretty clear about wanting PTAB
23 to readdress the licensing evidence, and
24 that's what we'll be addressing in our
25 briefs.

1 THE COURT: Okay. Great. Thank
2 you.

3 Okay. The second bullet, so the
4 parties agree that two weeks after the
5 briefs, they may file a concurrent five-page
6 response brief.

7 Any issue with that?

8 MR. CRUDO: None from Petitioner
9 Roku.

10 THE COURT: Okay. Great.

11 MR. FERRARO: And none from
12 Petitioner Vizio.

13 THE COURT: Okay. Great. Thank
14 you.

15 MR. PETERS: And none from Patent
16 Owner.

17 THE COURT: Okay. Great. Thank
18 you.

19 And then we all agree -- right --
20 that no additional evidence is to be
21 submitted; is that correct?

22 MR. CRUDO: That's correct, your
23 Honor.

24 THE COURT: Okay. Great.

25 And then the last issue would be

1 the oral hearing. Now, the parties agree
2 that none is required, and so after this I
3 guess I'm going to -- if everybody is through
4 with your comments, I'm going to put
5 everybody on a brief hold and discuss with
6 the panel to see whether or not we would need
7 to have an oral hearing.

8 But to the last point, is that
9 correct that nobody else -- neither party
10 wanted an oral hearing?

11 MR. PETERS: Correct, your Honor.

12 THE COURT: Okay. Great. With
13 that, let me just put everybody on a brief
14 hold.

15 MR. CRUDO: Your Honor, if I may --
16 this is Richard Crudo on behalf of Petitioner
17 Roku. I do want to just clarify that the
18 parties agreed that the cases would remain
19 separate. As the Board knows, they issued
20 two separate final written decisions and
21 declined to consolidate the case previously,
22 and we see no reason to reverse course on
23 that.

24 So under the party's proposal,
25 there would be separate briefing in each of

1 the IPRs. I just wanted to make that clear.

2 THE COURT: Okay. Yes. I
3 apologize. Yes, within the first bullet
4 point, you did state that you are filing
5 separate briefings. So yes, we are -- we
6 will treat those as separate briefings.

7 So with that, if everybody --
8 nobody else has additional comments, I'm
9 going to put everybody on a brief hold and
10 discuss with the panel. Okay?

11 - - - - -

12 (At this time, there was a break in the
13 proceedings.)

14 - - - - -

15 THE COURT: We are back.

16 So yes, the panel are in agreement
17 with the four bullet points you had, and so
18 we have no other comments or additional, you
19 know, procedures to add, and thus, we do
20 agree that no further hearing is needed.

21 So with that, if anybody else has
22 any questions?

23 MR. CRUDO: Mr. Crudo on behalf of
24 Petitioner Roku, just to confirm that the
25 parties' opening briefs would be due

1 two weeks from today, August 29th?

2 THE COURT: That is correct.

3 MR. CRUDO: Okay. Thank you, your
4 Honor.

5 THE COURT: Okay. So when -- will,
6 I guess, the petitioners be filing the
7 transcript for this hearing -- this call?

8 MR. CRUDO: We will, your Honor.
9 We can certainly do that.

10 THE COURT: Okay. So if you do
11 that, that would be great.

12 And so if that's the case, then --
13 yeah, we don't need to file an order to
14 summarize this, and I think we are adjourned.

15 MR. CRUDO: Okay. Thank you, your
16 Honor.

17 - - - - -

18 (Meeting ended at approximately 10:42
19 a.m.)

20 - - - - -

21

22

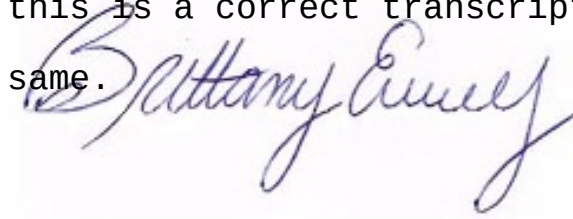
23

24

25

C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are
contained fully and accurately in
the stenographic notes taken by me
in the foregoing matter, and that
this is a correct transcript of the
same.



Court Reporter - Notary Public

(The foregoing
certification of this transcript
does not apply to any reproduction
of the same by any means, unless
under the direct control/or
supervision of the certifying
reporter.)

1	anybody 7:21 12:21	5:15 bullet	conference 5:5,22
10:42 13:18	apologize 12:3	7:12, 20, 25 10:3 12:3,17	confirm 12:24
15 5:2	Appeal 5:10	c	consolidate 11:21
2	appearances 5:24	call 5:5 7:8 8:1 13:7	correct 7:13,17 8:5, 12,23 10:21, 22 11:9,11 13:2
2025 5:2 29th 13:1	approximately 13:18	Canavera 6:2,3 8:19 9:15,16	course 11:22
A	arranged 7:7	case 9:6 11:21 13:12	court 5:4,12,15, 17,22,23 6:7,14,18,24 7:4,15,18 9:11,18 10:1,10,13, 17,24 11:12 12:2,15 13:2,5,10
a.m. 13:19	B	cases 11:18	covered 9:17
add 7:22 9:14,20 12:19	back 12:15	certainly 13:9	Crudo 5:19,20 6:9, 10,15 7:13, 14,17 8:17, 20,22 9:17 10:8,22 11:15,16 12:23 13:3, 8,15
additional 10:20 12:8, 18	basically 8:9	Cherry 5:11	
address 8:25	begin 5:12	Circuit 9:7	
addressing 8:3,10 9:24	behalf 5:20 6:11, 16,22 8:22 11:16 12:23	Circuit's 8:3,10,25	
adjourned 13:14	BENSALEM 5:1	clarify 11:17	
affirmed 9:7	Board 5:10 9:4 11:19	clear 8:24 9:8,22 12:1	
agree 8:1 10:4,19 11:1 12:20	break 12:12	co-counsel 6:5	
agreed 11:18	brief 8:3,8,9 10:6 11:5,13 12:9	Coie 6:4	
agreed-upon 8:23	briefing 8:24 9:9 11:25	colleague 6:12,16	D
agreement 12:16	briefings 12:5,6	collectively 5:21	Dang 5:9
ahead 8:20	briefs 9:25 10:5 12:25	comments 7:22 8:15 11:4 12:8,18	decision 8:4,10,25 9:22
Ancora 5:7,8 7:1	Brittany	concerns 8:16	decisions 11:20
		concurrent 10:5	declined 11:21

discuss 11:5 12:10 Drye 6:22 due 12:25 E ended 13:18 everybody 7:5 8:7 11:3,5,13 12:7,9 everyone 7:8 evidence 8:5,12 9:1, 5,23 10:20 F facie 9:6 Federal 8:3,10,25 9:7 Ferraro 6:21,22 10:11 file 8:2 10:5 13:13 filing 12:4 13:6 final 11:20 find 9:4 first 7:25 12:3 Fitch 7:3 five-page 10:5	Flax 5:11 four 12:17 FRIDAY 5:2 full 9:9 G going 11:3,4 12:9 Good 5:4 6:2,9,21 great 6:18,24 7:4, 16 9:11,18 10:1,10,13, 17,24 11:12 13:11 guess 7:25 8:4 11:3 13:6 H heard 9:13 hearing 11:1,7,10 12:20 13:7 high-value 9:3 hold 11:5,14 12:9 Honor 5:19 6:3 7:14 8:17,19 9:15,21 10:23 11:11, 15 13:4,8,16 Honors 6:10	I include 9:1 indeed 9:4 intended 9:17 IPR2021-01338 5:5 IPR2021-01406 5:7 IPRS 12:1 issue 10:7,25 issued 11:19 J Jessica 6:6 joined 6:5 Judge 5:9 judges 5:11 K Kaiser 6:6 Kelley 6:22 Kenton 6:13,14,15 Kessler 6:11 Kevin 5:11 know 12:19	Kyle 6:3 8:20 9:16 L Lestin 6:12,15 licenses 9:3 licensing 8:5,11 9:1, 23 limiting 8:9 line 5:25 6:12,16 look 7:19 low-value 9:3 M make 7:8 8:7 12:1 meeting 13:18 morning 5:4 6:2,9,21 N name 5:14 need 11:6 13:13 needed 12:20 NEXIS 9:2,5 Nicholas 7:2 Nintendo 5:6 6:1,5 9:16
---	--	--	---

O	8:4 9:19 10:15 PENNSYLVANIA 5:1 Perkins 6:3 Peters 7:2 9:19, 21 10:15 11:11 petitioner 5:6, 20 6:1, 8, 11, 20, 23 7:12 8:13, 14, 22 10:8, 12 11:16 12:24 petitioners 5:7, 18, 21 6:4 13:6 phone 5:10, 13 point 7:25 11:8 12:4 points 7:12, 20 9:17 12:17 pretty 9:22 previously 11:21 prima 9:6 procedure 7:20 procedures 7:10, 12 12:19 proceedings 12:13 proposal 8:23 11:24 PTAB 9:22 pursuant 7:7	put 11:4, 13 12:9 Q questions 7:22 12:22 R	right 10:19 Roku 5:8, 20 6:8, 11, 17 7:13 8:22 10:9 11:17 12:24 Ryan 5:11
obviousness 9:6 okay 5:17 6:7, 18, 24 7:4, 15, 18, 19, 23 8:21 9:11, 18 10:1, 3, 10, 13, 17, 24 11:12 12:2, 10 13:3, 5, 10, 15 opening 12:25 oral 11:1, 7, 10 order 13:13 Owner 5:6, 8 6:25 9:19 10:16 owner's 8:5	petitioner 5:6, 20 6:1, 8, 11, 20, 23 7:12 8:13, 14, 22 10:8, 12 11:16 12:24 petitioners 5:7, 18, 21 6:4 13:6 phone 5:10, 13 point 7:25 11:8 12:4 points 7:12, 20 9:17 12:17 pretty 9:22 previously 11:21 prima 9:6 procedure 7:20 procedures 7:10, 12 12:19 proceedings 12:13 proposal 8:23 11:24 PTAB 9:22 pursuant 7:7	readdress 9:23 reason 11:22 reassessing 9:2 received 7:11 remain 11:18 remand 7:9, 11, 20 REMOTELY 5:1 REPORTED 5:1 reporter 5:13, 14, 22 represent 6:4 required 11:2 respect 7:9 response 10:6 retained 5:21 reverse 11:22 review 9:10 Richard 5:20 6:10 8:18, 21 11:16	S scope 9:9 second 10:3 section 8:11 see 7:21 11:6, 22 separate 11:19, 20, 25 12:5, 6 SOP3 7:7 start 5:23 8:12, 15, 21 starting 7:24 state 12:4 stenographer 5:16 Sterne 6:10 submitted 10:21 summarize 13:14 sure 7:8 8:7, 17
P	page 7:9 8:7 panel 11:6 12:10, 16 particular 8:4 parties 7:25 10:4 11:1, 18 parties' 12:25 party 11:9 party's 11:24 patent 5:6, 8, 9 6:25	review 9:10 Richard 5:20 6:10 8:18, 21 11:16	T ten-page

8:2,8 Thank 6:18 7:4,5, 18 9:11 10:1,13,17 13:3,15 think 13:14 thought 9:13 Thu 5:9 time 12:12 today 13:1 today's 5:22 transcript 13:7 treat 12:6 Trial 5:10 two 8:1 10:4 11:20 13:1 V versus 5:6,8 Vincent 6:22 Vizio 5:8 6:20,23 10:12 W want 8:7 9:8 11:17 wanted 9:14 11:10 12:1	wanting 9:22 weeks 8:1 10:4 13:1 weigh 9:5 written 11:20 Y yeah 13:13 Z Ziccardi 5:15	
---	---	--