

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
3 SHENZEN WAYDOO INTELLIGENCE)
TECHNOLOGY CO., LTD.,)
4)
PETITIONER,)
5) IPR2024-00998
vs.) Patent 9,359,044
6)
MHL CUSTOM INC.,)
7)
PATENT OWNER.)

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11 REPORTER'S TRANSCRIPT OF PROCEEDINGS
THURSDAY, AUGUST 1, 2024 AT AT 10:07 A.M.
BEFORE HON. MICHAEL L. WOODS AND HON. KEVIN W. CHERRY,
12 ADMINISTRATIVE PATENT JUDGES
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24 REPORTED BY: JUSTINE JONES, MPA, RPR, CCR, CSR
25 LICENSE NO.: 14342

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* * * * *

SAN JOSE, CALIFORNIA
THURSDAY, AUGUST 1, 2024
10:07 A.M.

-000-

Whereupon, the following proceedings took place:

THE COURT: Good afternoon or good morning, depending on where you're located.

This is Administrative Patent Judge Michael Woods, and with me on the line is Administrative Patent Judge Kevin Cherry.

This conference call is for Inter Parte reviews, IPR2024-00998 and IPR2024-00999 in which petitioner seeks to join with instituted reviews, IPR2024-0085 [sic] and IPR2024-00086.

Moving onto appearances.

Will counsel for petitioner in IPR2024-00998 and IPR2024-00999, please state your name?

I understand that you have provided a court reporter, but please correct me if I am mistaken.

MR. STEIN: Yes. Hi, Your Honors.

1 This is Alex Stein, and I'm here
2 representing the petitioner, Waydoo, in both of the
3 proceedings that are seeking joinder to the others
4 that you identified.

5 And with me on the line is Yalei Sun,
6 also representing the petitioner, Waydoo, and we're
7 both from the law firm of Morgan, Lewis.

8 THE COURT: Thank you, Mr. Stein.

9 Patent owner, will you please state your
10 appearance and indicate whether you've provided a
11 separate court reporter?

12 MR. THEUERKAUF: Good afternoon, Your
13 Honors.

14 This is Robert Theuerkauf with the law
15 firm of Gray Ice Higdon, here representing MHL Custom
16 Inc., the patent owner.

17 And with me is my colleague, Megan
18 Gibson, also representing the patent owner; and we
19 have not provided a separate court reporter.

20 THE COURT: All right. Thank you,
21 Mr. Theuerkauf.

22 And, finally, will petitioner and Inter
23 Parte reviews IPR2024-00085 and IPR2024-00086 please
24 state your appearance?

25 MR. BRIDGES: Hello. My name is Douglas

1 Bridges, representing Foil Boarding Company, with
2 Adams IP.

3 We did not provide a court reporter,
4 either.

5 THE COURT: Okay. Thank you.

6 And, Mr. Stein, of course, please file
7 the transcript as an exhibit as soon as you have it
8 available.

9 MR. STEIN: Yeah. Absolutely, Your
10 Honor.

11 We will do that.

12 THE COURT: Okay. Thank you.

13 So we understand that petitioner in
14 IPR2024-00998 and IPR2024-00999 has filed motions to
15 join IPRs 2024-00085 and IPR2024-00086.

16 We also understand that under the Board's
17 Trial Practice Guide, a party seeking joinder must
18 arrange a conference call with the Board.

19 And petitioner has satisfied this
20 requirement by timely seeking a conference call with
21 the Board.

22 So, thank you, Mr. Stein.

23 We also understand that patent owners
24 filed opposition to these motions, and petitioner has
25 indicated that it will file a reply to those

1 oppositions due, I believe, sometime in the next few
2 days.

3 So it appears that the parties are
4 familiar with the Board's motion practice; and we do
5 not have any questions for the parties at this time.

6 We wanted to be available, however, to
7 answer any questions that the parties may have for us.

8 So, with that, Mr. Stein, do you have any
9 questions for the Board at this time?

10 MR. STEIN: I don't think we have any
11 particular questions at this time, but maybe I'll chew
12 on that just for a second to see if there's anything
13 else we want to raise.

14 It might be worth mentioning, if Your
15 Honors aren't already aware, but there was another
16 party that has also filed a motion for joinder to the
17 same two proceedings, the 202400085 and 86
18 proceedings.

19 There's one other party that has also
20 sought joinder, I believe, as of about a month ago.

21 THE COURT: Thank you.

22 And do you happen to know what the Inter
23 Parte review numbers are, if they have been assigned?

24 MR. STEIN: I do, yes.

25 Those are IPR2024-01107 and

1 IPR2024-01108.

2 THE COURT: Thank you.

3 And do you know who the petitioner is in
4 those cases?

5 MR. STEIN: I do.

6 I know the acronym, BRP, and the full
7 form is Bombardier Recreational Products,
8 Incorporated.

9 THE COURT: Okay. Thank you for
10 providing that, Mr. Stein. Admittedly, I was unaware
11 of that.

12 Okay. Mr. Theuerkauf, did you have any
13 questions for the Panel at this time?

14 MR. THEUERKAUF: Similarly, I don't think
15 I have any particular questions at the moment.

16 I was pausing to try to think if we had
17 anything, but I can't think of any questions at the
18 moment.

19 THE COURT: Okay. Thank you.

20 And, finally, Mr. Bridges, did you have
21 any questions for the Panel at this time?

22 MR. BRIDGES: We do not have any questions
23 from the counsel's side.

24 Thank you.

25 THE COURT: Okay. With that, if everyone

1 could just hold on for a moment while I convene with
2 my colleague and make sure that we don't have any
3 questions for any of you.

4 And if you'd just hold it and sit tight,
5 that would be fantastic.

6 (Brief pause in the proceedings.)

7 THE COURT: Okay. We don't have any
8 questions; but with that, I'll open the floor.

9 Mr. Theuerkauf, have you thought of any
10 questions that you'd like to ask the Panel?

11 MR. THEUERKAUF: I have not, but if
12 something comes up, we'll be sure to e-mail the Board.

13 THE COURT: All right. Please do.

14 And, Mr. Stein, one last chance.

15 Do you have any questions for the Board?

16 MR. STEIN: No, I don't think we do.

17 As you highlighted, Your Honor, we're
18 working on our reply brief, which is due, I believe,
19 August 5th.

20 So we'll have fully briefed as of that
21 date, and just in case Your Honors reviewed those
22 materials and want us to have an oral presentation of
23 the arguments once fully briefed, we'd be more than
24 happy to have that opportunity.

25 But I don't have any specific questions

1 right now.

2 THE COURT: Okay. Well, thank you.

3 And I appreciate you being available,
4 everyone being available, for the conference call this
5 afternoon.

6 I hope it wasn't too much of an
7 inconvenience.

8 And, with that, we are adjourned.

9 Thank you.

10 MR. STEIN: Thank you.

11 MR. THEUERKAUF: Thank you, Your Honors.

12 MR. BRIDGES: Thank you.

13 (Whereupon, the telephone conference call
14 concluded at 10:17 a.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, JUSTINE JONES, a duly commissioned and
licensed Court Shorthand Reporter, Los Angeles County,
State of California, do hereby certify: That I
reported the taking of the telephone conference call,
commencing on Thursday, August 1, 2024, at the hour of
10:07 a.m.

Prior to being examined, the witness was
by me, duly sworn to testify to the truth. That I
thereafter transcribed my said shorthand notes into
typewriting and that the typewritten transcript of
said deposition is a complete, true and accurate
transcription of my said shorthand notes.

I further certify that I am not a
relative or employee of an attorney or counsel of any
of the parties, nor a relative or employee of an
attorney or counsel involved in said action, nor a
person financially interested in the action.

(California Code, OV §69954)(d): Any
court, party, or person who has purchased a transcript
may, without paying a further fee to the reporter,
reproduce a copy or portion thereof as an exhibit

1 pursuant to court order or rule, or for internal use,
2 but shall not otherwise provide or sell a copy or
3 copies to any other party or person.

4 IN WITNESS HEREOF, I have hereunto set my
5 hand, in my office, in the County of Los Angeles,
6 State of California, this 9th day of August 2024.

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14 A handwritten signature in blue ink, appearing to read 'Justine Jones', is written over a horizontal line.

15
16 JUSTINE JONES, MPA, RPR, CCR, CSR
17 CSR No. 14342

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