

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CALLIDUS SOFTWARE INC.
Petitioner

v.

VERSATA DEVELOPMENT
GROUP, INC.
Patent Owner

AND

VERSATA SOFTWARE, INC.
Real Party-In-Interest

Case CBM2013-00054
Patent 7,908,304

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

In accordance with 37 C.F.R. § 42.70(a), Patent Owner respectfully requests the opportunity to present oral arguments before the PTAB on October 29, 2014. (See Order – Conduct of the Proceedings, Paper No. 40, p. 2). The issues to be argued include the patentability of claims 1, 12-25, 30-32, 42 and 43 under 35 U.S.C. § 101, whether Petitioner is statutorily barred from seeking post-grant review under 35 U.S.C. § 325(a)(1), any other issues briefed by or presented by the parties throughout this trial, and any issues argued by Petitioner during the oral argument.

Recognizing that oral argument for the instant proceeding, CBM2013-00052, and CBM2013-00053 have been scheduled for the same time, and though prior PTAB orders indicate a desire to consolidate oral argument time for reviews involving the same parties, Patent Owner respectfully requests separate, demarcated oral argument time for the instant proceeding, for CBM2013-00052, and for CBM2013-00053. The three proceedings involve different patents with completely different specifications, completely different claim sets, and distinct factual and legal issues. Accordingly, Patent Owner believes separate oral argument time to be warranted and respectfully requests **30 minutes** time for this proceeding. If the Board has any questions or comments, the undersigned attorney respectfully requests a telephone conference.

Respectfully submitted,

Dated: September 12, 2014

David W. O'Brien
David W. O'Brien, Reg. No. 40,107

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.205, that service was made on the Petitioner as detailed below.

Date of service September 12, 2014

Manner of service By email pursuant to the parties' agreement

Documents served Patent Owner's Request for Oral Argument

Persons served Deborah Fishman
Jeffrey Miller
Assad Rajani
Michael Tonkinson
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