

CBM2015-00123
Patent 8,033,458

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

SMARTFLASH LLC,
Patent Owner

Case CBM2015-00123
Patent 8,033,458

Before the Honorable JENNIFER S. BISK, RAMA G. ELLURU, JEREMY M. PLENZLER, and MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

PETITIONER'S REQUEST FOR ORAL HEARING

Pursuant to 37 C.F.R. § 42.70(a), requiring a separate paper requesting oral hearing and specifying issues to be argued, Petitioner Apple Inc. ("Apple") submits this Request for Oral Hearing on the instituted grounds of unpatentability for claims 2-5, 7, 9, and 12 (all of the instituted claims) of U.S. Patent No. 8,033,458 (the "458 patent") under 35 U.S.C. § 101, claims 3-5 of the '458 patent under 35 U.S.C. § 112, and associated issues. To account for the expected number of counsel (including litigation counsel in related district court proceedings) and party representatives, Petitioner respectfully requests that the Oral Hearing for this proceeding take place in Courtroom A. In the event Courtroom A is not available,

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Petitioner respectfully requests audio equipment enabling access to the Oral Hearing through a teleconference so that non-arguing counsel and/or party representatives may observe the Oral Hearing via teleconference. The Board has already scheduled the Oral Hearing in this proceeding for July 18, 2016, along with Oral Hearings in CBM2015-00124, CBM2015-00127, CBM2015-00130, and CBM2015-00131 involving the same parties and related patents, and CBM2015-00133 (consolidated with CBM2015-00132) involving a related patent and additional petitioner Google, Inc. *See* CBM2015-00123, Paper 8 at 6; CBM2015-00130, Paper 10 at 6; CBM2015-00133, Paper 10 at 2. Petitioner respectfully requests that the oral arguments for all of these proceedings relating to the Smartflash patents that are scheduled for July 18, 2016 be grouped and presented together in one Oral Hearing. Petitioner further respectfully requests equal amounts of argument time for Petitioner(s) and for Patent Owner, and respectfully proposes one hour of argument time for Petitioner(s) and one hour of argument time for Patent Owner in connection with the foregoing proceedings.

Dated: June 13, 2016

Respectfully submitted,

By: /J. Steven Baughman/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PETITIONER'S REQUEST FOR ORAL HEARING was served on June 13, 2016, to the following Counsel for Patent Owner via e-mail, pursuant to the parties' agreement concerning service:

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