

Case CBM2015-00124  
Patent 7,942,317

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC.,  
Petitioner

v.

SMARTFLASH LLC,  
Patent Owner

---

Case CBM2015-00124  
Patent 7,942,317

---

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, 9-11, 14, 15, 17, and 19 (all of the instituted claims) of U.S. Patent No. 7,942,317 (the "'317 patent") under 35 U.S.C. § 101, claim 19 of the '317 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,

Case CBM2015-00124

Patent 7,942,317

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 CBM2015-00123, 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/

J. Steven Baughman (lead counsel)

Reg. No. 47,414

Megan F. Raymond

Reg. No. 72,997

Ropes & Gray LLP

Case CBM2015-00124

Patent 7,942,317

---

2099 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006- 6807  
P: 202-508-4606/ F: 202-383-8371  
[Steven.Baughman@ropesgray.com](mailto:Steven.Baughman@ropesgray.com)  
[Megan.Raymond@ropesgray.com](mailto:Megan.Raymond@ropesgray.com)

Mailing address for all correspondence: ROPES & GRAY LLP, IPRM –  
Floor 43, Prudential Tower, 800 Boylston Street, Boston, MA 02199-3600

Case CBM2015-00124  
Patent 7,942,317

## 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:

Michael R. Casey  
Wayne M. Helge  
DAVIDSON BERQUIST JACKSON & GOWDEY LLP  
8300 Greensboro Dr., Suite 500  
McLean, VA 22102  
Telephone: (571) 765-7700  
Facsimile: (571) 765-7200  
mcasey@dbjg.com  
whelge@davidsonberquist.com  
SmartFlash-CBM@dbjg.com

*Attorneys for Patent Owner Smartflash LLC*

/s/ Sharon Lee  
Sharon Lee

**ROPES & GRAY LLP**