

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVAYA INC., DELL INC., SONY CORPORATION OF AMERICA,
and HEWLETT-PACKARD CO.

Petitioners

v.

NETWORK-1 SECURITY SOLUTIONS, INC.

Patent Owner

CASE IPR2013-00071
U.S. Patent No. 6,218,930

Before JONI Y. CHANG, JUSTIN T. ARBES, AND GLENN J. PERRY,
Administrative Patent Judges

PETITIONER DELL INC'S REQUEST FOR ORAL ARGUMENT

Pursuant to the Board's Order dated November 15, 2013 (Paper 69), Petitioner Dell Inc. ("Dell") respectfully requests oral argument, currently scheduled for January 9, 2014.

Dell acknowledges that this request is being made after DUE DATE 4, December 11, 2013 and is making this request further to the Board's suggestion contained in its email of December 20, 2013. Dell respectfully requests the Board grant this belated request.

Dell was under the mistaken belief that Petitioner Avaya's Request for Oral Argument (Paper 82) was sufficient to set the oral argument at which Dell could participate pursuant to the Board's Order in Paper 40. As advised in the Board's December 20, 2013 email, however, Avaya's request should have been labeled as a "consolidated" filing. It was and remains the intent of both Avaya and Dell that that Dell would have the opportunity to participate in the oral argument to the extent that time allows after Avaya's presentation. The failure to identify Avaya's December 11, 2013 request as a "consolidated" request was inadvertent and unintentional.

Dell has conferred with Network-1's counsel and they do not object to Dell presenting at the oral argument, to the extent that Dell is not requesting an expansion of the time allotted to Avaya. Dell is not requesting any extension of

the one hour allotted to Avaya in the Board's Order setting the oral argument (Paper 86).

Pursuant to 37 C.F.R. § 42.70(a), Dell intends to argue the following issues:

1. Claims 6 and 9 are unpatentable: (a) under 35 U.S.C. § 102(b) as being anticipated by Matsuno; and (b) under 35 U.S.C. § 103(a) over De Nicolo in view of Matsuno;
2. Patent Owner's Motion to Amend should be denied, and Patent Owner has failed to meet its burden demonstrating patentability of the proposed substitute claims;
3. The second declaration of Dr. Knox (Ex. N1-2024) should be excluded.

Dell requests the ability to use audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen for PowerPoint display.

Respectfully submitted,

December 23, 2013

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6(e)

I hereby certify that on this 23rd day of December 2013, a true and correct copy of the foregoing "PETITIONER DELL INC.'S REQUEST FOR ORAL ARGUMENT" was served, by electronic mail, upon the following:

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