By: Daniel W. McDonald (dmcdonald@merchantgould.com)

Merchant & Gould P.C.

3200 IDS Center

80 South 8th Street

Minneapolis, MN 55402

Tel: (612) 332-5300 Fax: (612) 332-9081

### UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_\_

#### BEFORE THE PATENT TRIAL AND APPEAL BOARD

## CARDIOCOM, LLC Petitioner

V.

# ROBERT BOSCH HEALTHCARE SYSTEMS, INC. Patent Owner

\_\_\_\_

Case IPR2013-00451 Patent 7,587,469

## PETITIONER'S REQUEST FOR ORAL ARGUMENT



Petitioner, Cardiocom, LLC ("Cardiocom") hereby requests an oral hearing pursuant to 37 C.F.R. § 42.70 and the Board's Scheduling Order (Paper No. 24). As set forth in its Order, the Board has currently scheduled the oral hearing for September 9, 2014. Cardiocom requests oral argument to discuss the issues specified below.

### **ISSUES TO BE ARGUED**

- Whether challenged claims 1, 2, and 5-10 of U.S. Patent No. 7,587,469
   (Ex. 1001) are unpatentable for the grounds instituted.
  - a. Whether claims 1, 2, and 5-10 are unpatentable under 35 U.S.C. § 103 as obvious over U.S. Patent Nos. 6,014,626 ("Cohen") and 5,367,667 ("Wahlquist").
  - b. Whether claims 1, 2, and 5-10 are unpatentable under 35 U.S.C. § 103 as obvious over Cohen, Wahlquist, European Patent Application Publication No. EP 0505627A2 ("Neumann"), and U.S. Patent No. 5,956,683 ("Jacobs").
- Response to any issues raised by Patent Owner in its Request for Oral Argument.



Respectfully submitted,

Date: July 31, 2014 / Daniel W. McDonald/

Daniel W. McDonald, Reg. No. 32,044

Attorneys for Petitioner Cardiocom



### **CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R § 42.6(e), the undersigned hereby certifies that a copy of this PETITIONER'S REQUEST FOR ORAL ARGUMENT has been served on July 31, 2014, by email on counsel of record for the patent owner at the following name and address:

Don Daybell (ddaybell@orrick.com)
Davin M. Stockwell (dstockwell@orrick.com)
Bas de Blank (basdeblank@orrick.com)
Lillian Mao (lmao@orrick.com)
BoschvCardiocom-IPRServiceList@orrick.com
D2DPTABDocket@orrick.com
ORRICK, HERRINGTON, &
SUTCLIFFE LLP
2050 Main St., Suite 1100
Irvine, CA 92614

Tel: 949-567-6700 Fax: 949-567-6710

> Respectfully submitted, MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Date: July 31, 2014 / Daniel W. McDonald /

Daniel W. McDonald (Lead Counsel)

USPTO Reg. No.: 32,044

