

Filed on behalf of: Software Rights Archive, LLC

Paper _____

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Filed: September 26, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., LINKEDIN CORP., and TWITTER, INC.,
Petitioners,

v.

SOFTWARE RIGHTS ARCHIVE, LLC,
Patent Owner.

Cases

IPR2013-00478 (Patent 5,544,352)

IPR2013-00479 (Patent 5,832,494)

IPR2013-00480 (Patent 5,832,494)

IPR2013-00481 (Patent 6,233,571)

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to the Scheduling Orders, dated February 3, 2014 (IPR2013-00478, Paper 18; IPR2013-00479, Paper 19; IPR2013-00480, Paper 18; and IPR2013-00481, Paper 17), Patent Owner Software Rights Archive, LLC (“SRA”) respectfully requests oral argument for the trials currently scheduled to be held on October 30, 2014. SRA requests three (3) hours per side of oral argument.

SRA requests three hours per side because the issues and the disclosures are unusually complex and voluminous. Furthermore, Petitioners submitted a Reply Declaration consisting of 266 pages of new expert testimony, raising a number of arguments, evidence and points for the first time. SRA has not had an opportunity to respond and needs its full time at the hearing to address these arguments. SRA anticipates that it will use approximately the first 45 minutes of its time to present a power point directed to the issues presented by the expert testimony and reserve the remaining time for questions and additional presentations.

Pursuant to 37 C.F.R. § 42.70(a), SRA identifies the following issues as among those to be argued:

1. IPR2013-00478 (U.S. Patent No. 5,544,352):
 - a. Whether Petitioners have met their burden on the instituted ground that Fox Thesis and Fox SMART render obvious claims 26, 28-30, 32, 34, and 39 of U.S. Patent No. 5,544,352 (Institution Decision Ground 1);

- b. Whether Petitioners have met their burden on the instituted ground that Kambayashi anticipates claims 26, 29-30, 32, 34, and 39 of U.S. Patent No. 5,544,352 (Institution Decision Ground 2); and
 - c. Whether Petitioners have met their burden on the instituted ground that Tapper 1976 and Tapper 1982 render obvious claims 26, 28-30, 34, and 39 of U.S. Patent No. 5,544,352 (Institution Decision Ground 3).
2. IPR2013-00479 (of U.S. Patent No. 5,832,494):
- a. Whether Petitioners have met their burden on the instituted ground that Fox Thesis, Fox SMART, and Fox Collection render obvious claims 18-20, 48, and 49 of U.S. Patent No. 5,832,494 (Institution Decision Ground 1);
 - b. Whether Petitioners have met their burden on the instituted ground that Tapper 1976 and Tapper 1982 render obvious claims 18-20, 48, and 49 of U.S. Patent No. 5,832,494 (Institution Decision Ground 2);
 - c. Whether Petitioners have met their burden on the instituted ground that Fox Thesis, Fox SMART, Fox Collection, Saito Clustering, and Fox Envision render obvious claims 45 and 51 of U.S. Patent No. 5,832,494 (Institution Decision Ground 3); and

- d. Whether Petitioners have met their burden on the instituted ground that Fox Thesis, Fox SMART, Fox Collection, Saito Clustering, Fox Envision, and Little render obvious claim 54 of U.S. Patent No. 5,832,494 (Institution Decision Ground 4).
3. IPR2013-00480 (U.S. Patent No. 5,832,494):
 - a. Whether Petitioners have met their burden on the instituted ground that Fox Thesis anticipates claims 14-16 of U.S. Patent No. 5,832,494 (Institution Decision Ground 1); and
 - b. Whether Petitioners have met their burden on the instituted ground that Fox SMART anticipates claims 1 and 5 of U.S. Patent No. 5,832,494 (Institution Decision Ground 2).
4. IPR2013-00481 (U.S. Patent No. 6,233,571):
 - a. Whether Petitioners have met their burden on the instituted ground that Fox Thesis, Fox SMART, and Fox Envision render obvious claims 12, 21, and 22 of U.S. Patent No. 6,233,571 (Institution Decision Ground 1).
5. SRA requests three hours per side because the issues and the disclosures are unusually complex and voluminous. Furthermore, Petitioners submitted a Reply Declaration consisting of 266 pages of new expert testimony, raising a number of arguments, evidence and points for the first time. SRA has not

had an opportunity to respond and needs its full time at the hearing to address these arguments. SRA anticipates that it will use approximately the first 45 minutes of its time to present a power point directed to the issues presented by the expert testimony and reserve the remaining time for questions and additional presentations.

6. Any other issues raised in the Petitions, Patent Owner's Preliminary Responses, Patent Owner's Responses, Petitioner's Replies, Petitioner's Request for Oral Argument, or otherwise raised by the Patent Owner, Petitioner, or the Board.

Patent Owner requests the ability to use audio/visual equipment to display demonstrative exhibits and evidence of record, including the use of a projector, ELMO device, and screen for PowerPoint and other visual display.

Respectfully submitted,

Date: September 26, 2014

By: /s/ Martin M. Zoltick

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