

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHARP CORPORATION, SHARP ELECTRONICS CORPORATION, and
SHARP ELECTRONICS MANUFACTURING
COMPANY OF AMERICA, INC.,
Petitioner,

v.

SURPASS TECH INNOVATION LLC,
Patent Owner.

Case IPR2015-00021
Patent No. 7,202,843 B2

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Sharp Corporation, Sharp Electronics Corporation, and Sharp Electronics Manufacturing Company of America, Inc. (collectively, “Sharp” or “Petitioner”) hereby respectfully request oral argument pursuant to 37 C.F.R. § 42.70(a) and the Scheduling Order attached to the Board’s April 9, 2015 Order (Paper No. 16), as modified by the parties’ Joint Stipulation to Modify the Scheduling Order (Paper No. 23) (collectively, “the Schedule”). Based on the Schedule, the oral hearing is currently set for December 1, 2015.

Pursuant to 37 C.F.R. § 42.70(a) and without waiving any issue not specifically identified herein, Petitioner specifies the following issues to be argued at oral argument in connection with this IPR:

1. Whether Claims 4, 8, and 9 of the ‘843 Patent (Ex. 1001) are unpatentable under 35 U.S.C. § 102 as anticipated by Ham (Ex. 1005).
2. Whether Patent Owner’s expert declaration testimony (Ex. 2005) is entitled to little or no weight under 37 C.F.R. § 42.65 and Federal Rules of Evidence 702.
3. The issues raised in the Petition for *Inter Partes* Review (Paper No. 1) relating to the ground on which the Board instituted *inter partes* review, and all supporting exhibits cited by Petitioner.

4. The issues raised in Patent Owner's Response (Paper No. 20), the Declaration of William K. Bohannon (Ex. 2005), Petitioner's Reply (Paper No. 24), the Rebuttal Declaration of Michael J. Marentic (Ex. 1010), and all supporting exhibits cited by Patent Owner and Petitioner.
5. Any issues raised by Patent Owner in its Request for Oral Argument.
6. Any issues raised by a motion to exclude evidence filed by any party pursuant to 37 C.F.R. § 42.64(c).
7. Any issues raised by a motion for observation on cross-examination filed by any party pursuant to the Scheduling Order (Paper No. 16).
8. Any issues raised by Patent Owner in any filings contemporaneous with or subsequent to this Request.
9. Any issues for which the Board seeks clarification.

Petitioner requests that audio/visual equipment be made available at a hearing room to display demonstrative exhibits during the oral argument, including a projector, ELMO, and screen.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
LLP

Attorneys for Petitioner
90 Park Avenue
New York, NY 10016
(212) 336-8000

Dated: October 15, 2015
New York, New York

By: /Anthony F. Lo Cicero/
Anthony F. Lo Cicero
Registration No.: 29,403

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that on this 15th day of October, 2015, a copy of the foregoing PETITIONER'S REQUEST FOR ORAL ARGUMENT was served via e-mail on the counsel of record for the Patent Owner at the following e-mail addresses:

Wayne M. Helge (whelge@dbjg.com)
Donald L. Jackson (djackson@dbjg.com)
Michael R. Casey (mcasey@dbjg.com)

Dated: October 15, 2015
New York, New York

By: /Anthony F. Lo Cicero/
Anthony F. Lo Cicero
Registration No.: 29,403