

Filed on behalf of NETWORK-1 TECHNOLOGIES, INC.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE INC.  
Petitioner

v.

NETWORK-1 TECHNOLOGIES, INC.  
Patent Owner

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Case IPR2015-00345  
Patent 8,205,237

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**NETWORK-1'S REQUEST FOR ORAL ARGUMENT**

Pursuant to:

- (a) the Board’s Scheduling Order, dated June 23, 2015 (Paper 7);
- (b) the Board’s Order – Conduct of the Proceeding, dated July 27, 2015 (Paper 13); and
- (c) 37 C.F.R. § 42.70(a),

Patent Owner Network-1 Technologies, Inc. respectfully requests oral argument, currently scheduled for March 9, 2016.

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner specifies, without waiving any issues not requested, the following issues to be argued:

1. Rebuttal of each ground of unpatentability on which trial was instituted for Claims 1-16, 21-27, 29, 30, 33-35, 37, and 38 of the ‘237 Patent, including the following issues:

Ground 1: Does Iwamura disclose the claimed:

- a) “sub-linear time search,”
- b) “approximate nearest neighbor search,”
- c) “nonexhaustive search,”
- d) “identify a neighbor / near neighbor,” and
- e) “sublinear approximate nearest neighbor search,”

in the context of the ‘237 Patent?

Ground 2: Does Ghias disclose the claimed:

- a) “sublinear time search,” and
- b) “approximate nearest neighbor search,”

in the context of the ‘237 Patent;

Ground 3: Are Claims 26, 27, 34, and 35 of the ‘237 Patent obvious over Iwamura and Chen?

2. The proper constructions and interpretations of the terms and phrases identified in (1) above.

3. Whether the Board should consider Petitioner’s theories presented for the first time in its Reply, such as its theory that Iwamura discloses a sublinear search when .wav files are added to a database of MIDI files.

4. Any issues raised in the Petition for *Inter Partes* Review (Paper 1) relating to the grounds on which the Board instituted *inter partes* review, and all exhibits cited by Petitioner.

5. Any issues raised by Patent Owner’s Response (Paper 17), Declaration of Dr. George Karypis (Ex. 2005), Petitioner’s Reply to Patent Owner’s Response (Paper 20), and all supporting exhibits cited by Petitioner and Patent Owner.

6. Any issues raised by Petitioner in its Request for Oral Argument (Paper 21).

7. Any issues raised by Petitioner in any filings contemporaneous with or subsequent to this Request.

8. Any issues for which the Board seeks clarification.

In the interest of efficiency, Patent Owner respectfully requests that the Board hold a consolidated hearing on the four related IPRs—IPR2015-00343, IPR2015-00345, IPR2015-00347, and IPR2015-00348—which involve patents in the same family and certain overlapping prior art and issues. The parties have met and conferred on this issue, and Patent Owner understands that Petitioner agrees to a single consolidated hearing. The parties, however, do not agree on the time that should be allotted for argument.

The Board “indicated that the total time devoted to the Oral Hearing, if requested, would be dependent on the number of issues in the proceedings, as briefed in Patent Owner’s Response and Petitioner’s Reply.” Order – Conduct of the Proceeding dated July 27, 2015 (Paper 13). Based on the large number of issues remaining in the four IPR proceedings, as briefed in Patent Owner’s four Responses and Petitioner’s four Replies, Patent Owner respectfully requests 120 minutes (per side) to present its arguments and rebut Petitioner’s arguments.

Patent Owner also requests the ability to use audio visual equipment to display demonstrative exhibits, including the use of a projector and screen for displaying demonstrative exhibits (e.g., PowerPoint slides).

Respectfully submitted,

Date: February 3, 2016

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