

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FUJITSU NETWORK COMMUNICATIONS, INC.,
CORIANT OPERATIONS, INC., CORIANT (USA) INC.,
CIENA CORPORATION
Petitioner

v.

CAPELLA PHOTONICS, INC.
Patent Owner

Case IPR2015-00726¹
Patent RE42,368

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ Case IPR2015-01958 has been joined with this proceeding.

Pursuant to 37 C.F.R. § 42.70(a) and the Board's August 24, 2015, Scheduling Order (Paper 12), Petitioner respectfully submits this request for oral argument, currently scheduled for May 24, 2016.

Petitioner does not believe an oral argument should be held in this proceeding given the Board's order in IPR2014-01166 that all patent claims at issue in this proceeding are unpatentable (Paper 44). However, if the Board nevertheless orders oral argument based on Patent Owner's request, Petitioner will attend and respectfully requests that the oral argument in this proceeding (1) be consolidated with the oral argument for IPR2015-00727 because these proceedings involve the same prior art and (2) be limited to the issues in these two proceedings and not combined with any oral argument in other proceedings given the differences in prior art and other record evidence, such as expert testimony.

Petitioner also respectfully requests that the Board provide audiovisual equipment to display possible demonstrative exhibits, including a projector to be connected to a laptop and a screen for displaying documents.

Respectfully submitted,
MILBANK, TWEED, HADLEY & MCCLOY
LLP

Date: April 14, 2016
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105, the undersigned certifies that on April 14, 2016, the foregoing **PETITIONER'S REQUEST FOR ORAL ARGUMENT** were served electronically via email on the following counsel of record for Patent Owner:

Jason D. Eisenberg (Lead Counsel)
Robert Greene Sterne (Back-up Counsel)
Jon E. Wright (Back-up Counsel)
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