

Docket No.: 0107131.00351 US4
Filed on behalf of Intel Corporation
By: Grant K. Rowan, Reg. No. 41,278 (Lead Counsel)
Yung-Hoon Ha, Reg. No. 56,368 (Back-up Counsel)
Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue NW
Washington, DC 20006
Tel: (202) 663-6025
Email: Grant.Rowan@wilmerhale.com
Yung-Hoon.Ha@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION
Petitioner

v.

DSS TECHNOLOGY MANAGEMENT, INC.
Patent Owner of
U.S. Patent No. 6,784,552
IPR Trial No. IPR2016-00288

Claims 8-12

PETITIONER'S CONDITIONAL REQUEST FOR ORAL ARGUMENT

In its Decision on Institution, the Board recognized that, for the reasons described in the Petition and the accompanying declaration of Dr. John C. Bravman (Ex. 1102), there is a reasonable likelihood that the challenged claims 8-12 of U.S. Patent No. 6,784,552 are unpatentable.

In response, Patent Owner DSS Technology Management, Inc. ("DSS") provided no basis for the assertion that the challenged claims are patentable. DSS did not depose Dr. Bravman, did not provide any contradictory testimony from any expert, and did not otherwise submit or identify any evidence rebutting Intel's petition. Instead, DSS merely offered the unremarkable observation that the burden of proving unpatentability remains with Intel. DSS Resp. at 2. Intel has plainly met that burden.

Accordingly, Petitioner believes that the Board has sufficient unrebutted evidence to find that claims 8-12 of U.S. Patent No. 6,784,552 are unpatentable. However, if the Board wishes to further discuss and clarify any arguments and/or issues raised in the Petition, Petitioner respectfully requests oral argument.

Pursuant to 37 C.F.R. § 42.70, Petitioner specifies the following issues to be argued:

- I. Whether challenged claims 8-12 are unpatentable under 35 U.S.C. § 102(b) by Heath.

Should the oral argument be confirmed, Petitioner requests the ability to use a computer, projector, and screen to display possible demonstratives and exhibits.

Respectfully Submitted,

/Yung-Hoon Ha/

Yung-Hoon Ha
Registration No. 56,368
7 World Trade Center
250 Greenwich Street
New York, NY10007

Dated: December 7, 2016

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2016, I caused a true and correct copy of the foregoing materials:

- Petitioner's Conditional Request for Oral Argument

to be served via e-mail, as previously agreed by the parties, on the following attorneys of record:

SMITH & HOPEN, P.A.
180 Pine Avenue North
Oldsmar, FL 34677
Tel.: 813-925-8505

Andriy Lytvyn, Lead Counsel
USPTO Reg. No. 65,166
andriy.lytvyn@smithhopen.com

Anton J. Hopen, Backup Counsel
USPTO Reg. No. 41,849
anton.hopen@smithhopen.com

Nicholas Pfeifer, Backup Counsel
USPTO Reg. No. 70,568
nicholas.pfeifer@smithhopen.com

/Yung-Hoon Ha /
Yung-Hoon Ha
Registration No. 56,368
7 World Trade Center
250 Greenwich Street
New York, NY 10007