

Docket No.: 0107131.00351 US1  
Filed on behalf of Intel Corporation  
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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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INTEL CORPORATION  
Petitioner

v.

DSS TECHNOLOGY MANAGEMENT, INC.

Patent Owner of  
U.S. Patent No. 5,965,924  
IPR Trial No. IPR2016-00289

**Claims 1-6, 13, 14 and 16**

**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. 1002), there is a reasonable likelihood that the challenged claims 1-6, 13, 14 and 16 of U.S. Patent No. 5,965,924 patent 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 1-6, 13, 14 and 16 of U.S. Patent No. 5,965,924 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 1-3, 14 and 16 are unpatentable under 35 U.S.C. § 102(e) by Sakamoto; and

II. Whether challenged claims 4-6 and 13 are unpatentable under 35

U.S.C. §103(a) over the combination of Sakamoto and Cederbaum.

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/

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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:

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