

Docket No.: 0107131.00351 US2  
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](mailto:Grant.Rowan@wilmerhale.com)  
[Yung-Hoon.Ha@wilmerhale.com](mailto: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. 5,965,924

IPR Trial No. IPR2016-00290

**Claims 7-12, 15 and 17**

**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 7-12, 15 and 17 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 7-12, 15 and 17 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 7-9, 15 and 17 are unpatentable under 35 U.S.C. § 102(e) by Sakamoto; and

II. Whether challenged claims 10-12 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/

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