

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

TQ DELTA, LLC
Patent Owner

Case IPR2016-01009
Patent 8,238,412 B2

PETITIONER'S REQUEST FOR ORAL HEARING

In accordance with 37 C.F.R. § 42.70(a), Petitioner hereby request an oral hearing in the present *inter partes* review. Per the Board's Scheduling Order, the oral hearing is scheduled for August 3, 2017. *See* Order, Paper 9, at 8.

1. Request to Consolidate Cases for Oral Hearing

The Board's Scheduling Order aligned the schedules of six related *inter partes* review proceedings. *See* Order, Paper 8. Because of overlapping subject matter and issues, and to expedite the proceedings, Petitioner requests that these cases be set for oral hearing in two groups, as follows.

“Diagnostic/Test” cases

- IPR2016–01006 (Patent 7,835,430)
- IPR2016–01007 (Patent 8,432,956)
- IPR2016–01008 (Patent 8,238,412)
- **IPR2016–01009 (Patent 8,238,412)** (this proceeding)

“Phase Scrambling” cases

- IPR2016–01020 (Patent 9,014,243)
- IPR2016–01021 (Patent 8,718,158)

For the “Diagnostic/Test” cases (including this case), Petitioner respectfully requests a *single* consolidated oral hearing, with each side having **40 minutes** to present.

2. Issues to be Presented During Oral Hearing

During the oral hearing, Petitioner requests the opportunity to present oral argument on all of the issues raised in the papers pertaining to the instituted

grounds, including:

- Claim construction of the terms “*subchannel*” and “*during Showtime*”
- Milbrandt teaches “*power level per subchannel information*”
- Milbrandt in combination with ANSI T1.413 renders obvious “*an array representing Signal to Noise Ratio per subchannel during Showtime information*”
- Milbrandt in combination with Chang renders obvious “*idle channel noise information*”
- Milbrandt in combination with ANSI T1.413 renders obvious that “*the power level per subchannel information is based on a Reverb signal*”

3. Conclusion

If the Board has any questions or comments, the undersigned attorney respectfully requests a telephone conference. No fees are believed to be required for filing this request; however, the Commissioner is authorized to charge any required fees, or credit any overpayment, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

June 30, 2017

Respectfully submitted,

/David L. McCombs/
David L. McCombs
Counsel for Petitioner
Registration No. 32,271

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.205, that service was made on the Patent Owner as detailed below.

Date of service June 30, 2017

Manner of service Email: pmcandrews@mcandrews-ip.com;
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Documents served Petitioner's Request for Oral Hearing

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