

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.
Petitioner

v.

WINDY CITY INNOVATIONS, LLC
Patent Owner

Case No. IPR2016-01155¹
Patent No. 8,694,657

PETITIONER'S REQUEST FOR ORAL HEARING

¹ Case IPR2017-00622 has been joined with this proceeding.

Pursuant to 37 C.F.R. § 42.70(a), Petitioner respectfully requests oral argument. The oral argument is presently scheduled for October 19, 2017.

(Paper 38.) The issues to be addressed include the following:

1. Unpatentability of claims 189 and 465 of U.S. Patent No. 8,694,657 under 35 U.S.C. § 103(a) as obvious over Brown and Sociable Web;
2. Any procedural and evidentiary issues raised by the parties;
3. Any additional issue the parties raise or propose to raise at or before the oral argument; and
4. Any additional issues on which the Board seeks information or clarification.

This proceeding is one of seven related IPR proceedings which are scheduled for oral hearing together. Four of these matters (IPR2016-01156, -01157, -01158, and -01159) are based on petitions originally filed by Facebook, Inc. The remaining three (IPR2016-01067, -01141, and -01155) are based on petitions originally filed by Microsoft, Inc. Each of these cases pertains to one of four issued patents that share the same specification. Each of these cases thus present overlapping issues of claim construction and patent disclosure. Furthermore, although the “Facebook” group of cases and the “Microsoft” group of cases rely on different prior art references, Petitioner submits that many of Patent Owner’s arguments against the obviousness of the challenged claims are highly similar across all seven cases.

Accordingly, Petitioner requests that one hour of argument time per side be used for the Facebook group of cases and thirty minutes of argument time per side be used for the Microsoft group of cases, with the Facebook group of cases to proceed first. Under this arrangement the combined total hearing time for all seven cases would be completed in a single three hour hearing session.

Petitioner further requests that it be allowed to speak first at oral argument as the party bearing the burden of showing the unpatentability of the challenged claims, and that it be permitted to reserve time for rebuttal following Patent Owner's allotted argument time.

Petitioner further requests the use of audio-visual equipment to assist its arguments and to display is demonstrative exhibits, including a computer-connectable projector, an ELMO, and a screen. Petitioner requests the services of a court reporter to transcribe the proceeding.

Dated: August 2, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that a complete copy of the attached **PETITIONER'S REQUEST FOR ORAL HEARING** is being served in its entirety on the 2nd day of August, 2017, via electronic mail on counsel of record for the Patent Owner as follows:

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