

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

REALTIME DATA LLC,
Patent Owner.

Case IPR2016-01737
Patent 8,880,862

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Scheduling Order (Paper 8) and PTAB's Order of October 24, 2017 (Paper 34), Petitioner submits this Request for Oral Argument on all of the instituted grounds of unpatentability of U.S. Patent No. 8,880,862, and on Patent Owner's Motion to Amend. Requests for Oral Argument in related IPR proceedings (IPR2016-01738 and IPR2016-01739) are being filed on this same day.

With regard to this particular proceeding, Petitioner requests (without waiving consideration of any issue not listed below) to address the following issues:

1. Whether claims 1–4, 6–7, 13, 23–34, 47–58, 83–96, 99–100, 105–111, 113, and 116 are obvious over Sukegawa and Dye pursuant to 35 U.S.C. § 103(a);
2. Whether claims 1–4, 6–7, 13, 23–34, 47–58, 83–96, 99–100, 105–111, 113, and 116 are obvious over Sukegawa, Dye, and Settsu pursuant to 35 U.S.C. § 103(a);
3. Whether claims 1–4, 6–7, 13, 23–34, 47–58, 83–96, 99–100, 105–111, 113, and 116 are obvious over Sukegawa, Dye, and Burrows pursuant to 35 U.S.C. § 103(a);

4. Whether claims 1–4, 6–7, 13, 23–34, 47–58, 83–96, 99–100, 105–111, 113, and 116 are obvious over Sukegawa, Dye, Settsu, and Burrows pursuant to 35 U.S.C. § 103(a);
5. Whether claims 1–4, 6–7, 13, 23–34, 47–58, 83–96, 99–100, 105–111, 113, and 116 are obvious over Sukegawa, Dye, Settsu, and Zwiegincew pursuant to 35 U.S.C. § 103(a);
6. Whether Patent Owner’s proposed substitute claims 118-173 are unpatentable;
7. Any motions to exclude evidence by Patent Owner;
8. Rebuttal to Patent Owner’s presentation on all matters; and
9. Any additional issues on which the Board seeks clarification. The Board has already scheduled Oral Hearing for January 8, 2018. *See* PTAB’s Order of October 24, 2017 (Paper 34).

Petitioner also respectfully requests the ability to use audio visual equipment to display demonstrative exhibits, including the use of a projector and screen that connects to a laptop computer. Petitioner’s counsel will use a laptop computer with a VGA-type connector. In addition, Petitioner requests that an ELMO-type projector be made available for use.

Proceeding No.: IPR2016-01737

Attorney Docket: 39521-0025IP1

Date: December 8, 2017

/Andrew B. Patrick/

W. Karl Renner, Reg. No. 41,265

Jeremy Monaldo, Reg. No. 58,680

Andrew B. Patrick, Reg. No. 63,471

Fish & Richardson P.C.

3200 RBC Plaza, 60 South Sixth Street

Minneapolis, MN 55402

T: 202-783-5070

F: 877-769-7945

Attorneys for Petitioner

