

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) INC.

Petitioner

v.

FUNDAMENTAL INNOVATION SYSTEMS INTERNATIONAL LLC

Patent Owner

Case IPR2018-00111
Patent No. 8,624,550

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner, Fundamental Innovation Systems International LLC ("Fundamental"), requests oral argument under 37 C.F.R. § 42.70 and the Board's May 10, 2018 Scheduling Order (Paper 19). Oral argument is currently scheduled for February 5, 2019. (Paper 19, Due Date 7.)

Fundamental requests a morning hearing time (9 a.m. EST) as feasible. Fundamental requests 90 minutes to present its arguments on IPR2018-00111, a request that Petitioner does not object. Fundamental also does not object if Petitioner similarly requests 90 minutes to present its arguments. Fundamental also requests the ability to use audio-visual equipment for demonstrative exhibits, including the use of a projector and screen for PowerPoint slides.

Fundamental specifies the following issues to be argued, without intent to waive consideration of any allowable issue not requested or raised by Petitioner:

1. Whether Petitioner named all real parties-in-interest in the Petition;
2. Whether claims 1-3, 9-12 and 18 of U.S. Patent No. 8,624,550 ("the '550 patent") are obvious under 35 U.S.C. § 103(a) in light of U.S. Pat. No. 6,556,564 ("Rogers," Ex. 1005); and
3. Whether claims 4-8 and 13-17 of the '550 patent are obvious under 35 U.S.C. § 103(a) in light of Rogers (Ex. 1005) and U.S. Pat. No. 6,625,738 ("Shiga," Ex. 1006).

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Petitioner is the party with the burden of proof and will therefore present first at the oral hearing. Fundamental will address any issues raised by Petitioner, or questions raised by the Board during Petitioner's presentation.

Dated: December 28, 2018

Respectfully submitted,

/s/ Hong Zhong

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. section 42.6, that on December 28, 2018, a complete copy of the foregoing document **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT** was served upon the following, by ELECTRONIC MAIL:

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