

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SIRIUS XM RADIO INC.,

Petitioner,

v.

FRAUNHOFER-GESELLSCHAFT ZUR FÖRDERUNG DER  
ANGEWANDTEN FORSCHUNG E.V.,

Patent Owner.

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Case IPR2018-00690  
U.S. Patent No. 6,314,289

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**PETITIONER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a) and the Board's August 19, 2019, Scheduling Order (Paper No. 30), Sirius XM Radio Inc. ("Petitioner") requests an opportunity to present oral argument regarding the patentability of claims 1–15 and 17–33, and 35 (the "Challenged Claims") of U.S. Patent No. 6,314,289 ("the '289 Patent"). The oral argument is scheduled to be held on May 19, 2020. Paper No. 12 at 10. Without waiving consideration of any issue not identified below, Petitioner requests one hour to address the following issues:

1. Issues related to the Board's Institution Decision and the grounds instituted in the Decision;
2. Whether Chen alone or in view of Campanella renders claims 1–15, 17–33, and 35 obvious under 35 U.S.C. § 103;
3. Whether Smallcomb anticipates claims 1–6, 8–14, 17–23, 25–32, and 35 under 35 U.S.C. § 102;
4. Whether Smallcomb alone or in view of Campanella renders claims 1–15, 17–33, and 35 obvious under 35 U.S.C. § 103;
5. Rebuttal of any arguments made by Patent Owner;
6. Any additional issues on which the Board seeks clarification; and
7. Response to any issues Patent Owner raises in its Request for Oral Argument.

Petitioner's Request for Oral Argument  
IPR2018-00690 (U.S. Patent No. 6,314,289)

Petitioner respectfully reserves the right to supplement and/or amend the foregoing statement of issues to the extent the Rules permit.

At oral argument, Petitioner requests the use of audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen.

Respectfully submitted,

Dated: April 7, 2020

/Jonathan S. Caplan/

Jonathan S. Caplan (Reg. No. 38,094)

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(Case No. IPR2018-00690)

*Attorneys for Petitioner*  
*Sirius XM Radio Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Patent Owner as detailed below.

*Date of service* April 7, 2020

*Manner of service* Electronic Mail  
(byorks@irell.com; bredjaian@irell.com;  
dmcphie@irell.com; kvakili@irell.com)

*Documents served* PETITIONER'S REQUEST FOR ORAL ARGUMENT

*Persons Served* (Ben J. Yorks; Babak Redjaian; David McPhie; Kamran Vakili)

/Jonathan S. Caplan /  
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