

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

VISA INC., and VISA U.S.A. INC.,

Petitioners,

v.

UNIVERSAL SECURE REGISTRY, LLC,

Patent Owner.

Case IPR2018-00809¹

U.S. Patent No. 9,530,137

PETITIONER APPLE INC.'S REQUEST FOR ORAL ARGUMENT

¹ Visa Inc. and Visa U.S.A. Inc., which filed a petition in IPR2019-00174, have been joined as a party to this proceeding.

Pursuant to the Board's November 8, 2018 Scheduling Order (Paper No. 10), Petitioner Apple Inc. ("Apple") respectfully requests oral argument currently scheduled on July 16, 2019. Petitioner requests the ability to use a computer, projector, and screen to display possible demonstratives and exhibits. Petitioner requests 60 minutes per side.

Pursuant to 37 C.F.R. § 42.70, Apple specifies the following issues to be argued:

- I. Whether challenged claims 1, 2, 6, 7, 9, and 12 are unpatentable under 35 U.S.C. § 103(a) as obvious over the '585 reference (Ex. 1113) and Maritzen (Ex. 1114).
- II. Whether challenged claim 5 is unpatentable under 35 U.S.C. § 103(a) as obvious over the '585 reference (Ex. 1113), Maritzen (Ex. 1114), and Niwa (Ex. 1117).
- III. Respond to any arguments raised in Patent Owner's Preliminary Response (Paper No. 8), Patent Owner's Response (Paper No. 18) and Patent Owner's Sur-Reply (Paper No. 30).
- IV. Whether substitute claims 13-14, 18-19, and 21 are unpatentable under 35 U.S.C. § 103(a) as obvious over the '585 reference (Ex. 1113), Maritzen (Ex. 1114), and Schutzer (Ex. 1115).

- V. Whether substitute claims 13-21 are unpatentable as drawn to ineligible subject matter under 35 U.S.C. § 101.
- VI. Whether substitute claims 13, 17, and 21 satisfy 35 U.S.C § 112.
- VII. Whether Patent Owner's Conditional Motion to Amend (Paper No. 19) should be denied for proposing an unreasonable number of claims under 37 C.F.R. § 42.121(a)(3).
- VIII. Whether Patent Owner's Conditional Motion to Amend (Paper No. 19) should be denied for failing to comply with 35 U.S.C. § 316(d)(1) by substituting claims 15 and 16 for unchallenged claims 3 and 4.
- IX. Whether Patent Owner has complied with its duty of candor under 37 C.F.R. § 42.11.
- X. Whether Patent Owner is estopped from reintroducing the subject matter of disclaimed claims 8 and 11 into its substitute claims.
- XI. Whether Patent Owner waived its right to respond to Ground 3 in the Petition (Paper No. 3).
- XII. Respond to any arguments raised in Patent Owner's Reply (Paper No. 31) to Petitioner's Conditional Motion to Amend Opposition.
- XIII. Whether portions of Patent Owner's Reply (Paper No. 31) to Petitioners Conditional Motion to Amend Opposition and of Patent

Owner's Exhibit 2021 should be stricken for failing to comply with 37 C.F.R. § 42.23(b) by introducing new arguments for written description support of substitute claims 13 and 21 not presented in Patent Owner's Conditional Motion to Amend (Paper No. 19).

- XIV. Respond to Patent Owner's Motion to Strike (Paper No. 36) and any arguments raised in Patent Owner's Sur-Reply to Petitioner's Opposition to the Motion to Strike (*to be filed*).
- XV. Respond to Patent Owner's Motion to Exclude, if one is submitted.
- XVI. Respond to any issues specified by Patent Owner in its request for oral argument.
- XVII. Respond to Patent Owner's presentation on all matters.
- XVIII. Any arguments raised by the Parties in their respective papers, motions, oppositions, responses, replies, and sur-replies.
- XIX. Issues related to the Board's Decision on Institution and the grounds instituted in the Decision.
- XX. Any issues raised in the briefing pursuant to the schedule.
- XXI. Any other outstanding motions and pleadings, and other issues that the Board deems necessary for issuing a Final Written Decision.

IPR2018-00809
U.S. Patent No. 9,530,137
Apple's Request for Oral Argument

Respectfully Submitted,

Date: June 10, 2019

/Monica Grewal/

Monica Grewal
Registration No. 40,056

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