

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHOPIFY, INC., PRICELINE.COM LLC, and BOOKING.COM B.V.,
Petitioner,

v.

DDR HOLDINGS, LLC,
Patent Owner.

Case No.: IPR2018-01008¹
U.S. Patent 9,639,876

PETITIONERS' CONSOLIDATED REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), the Board’s November 15, 2018 Scheduling Order (Paper 13), and the Board’s June 10, 2019 Decision Instituting *Inter Partes* Review and Granting Motion for Joinder (Paper 26), Petitioners Shopify, Inc., Priceline.com LLC, and Booking.com B.V. (“Petitioners”), submit this Request for Oral Argument and respectfully request an opportunity to present oral argument on all issues in this proceeding. Oral argument in this proceeding is presently scheduled for July 25, 2019, together with oral argument in IPR2018-01009, -01010, -01011, -01012, and -01014. Given the similarity of the issues in all six proceedings, Petitioners request that the Board authorize the parties to present their arguments for all six proceedings in a single, consolidated hearing.

Pursuant to the Trial Practice Guide Update (August 2018), the parties have conferred about the conduct of the hearing including the location and length. As to the location, assuming that Judge Boucher will be conducting a significant amount of questioning on the IPRs, the parties believe that conducting the hearing in Denver would be preferable. As to the amount of time allocated for the hearing, the parties propose that the Petitioners and Patent Owner each be provided 60 minutes of argument time for the consolidated hearing in these proceedings, inclusive of any rebuttal time either party wishes to reserve at the hearing.

Petitioners intend to address at least the following issues during oral argument:

1. All grounds on which trial was instituted, including all issues raised by the parties' papers;
2. Any issue raised by either party in a request for oral argument, a motion to exclude (if any), objections to demonstrative exhibits (if any), or any other motion or paper filed by either party before oral argument;
3. Rebuttal to any issue raised by Patent Owner in its presentation at the oral argument; and
4. Any additional issue on which the Board seeks clarification.

Petitioners also respectfully request the ability to use audio-visual equipment to display demonstratives and exhibits, including the use of a computer, projector, ELMO, and screen.

Dated: June 14, 2019

/Michael J. McNamara/

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CERTIFICATE OF SERVICE

I certify that a copy of the Petitioners' Consolidated Request for Oral Argument is being served by electronic mail on the following counsel of record for the Patent Owner and consolidated Petitioners:

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