UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PANASONIC CORPORATION AND PANASONIC CORPORATION OF NORTH AMERICA

Petitioners,

v.

CELLSPIN SOFT, INC.

Patent Owner.

CASE: IPR2019-00131[1]

Patent No. 9,258,698

PATENT OWNER CELLSPIN'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board's April 29, 2019, Scheduling Order (Paper 8), Patent Owner Cellspin Soft, Inc. respectfully requests oral argument, which is currently scheduled for January 28, 2020. Patent Owner requests that the oral hearing be held at the United States Patent and Trademark Office headquarters in Alexandria, Virginia. Patent Owner submits that 60 minutes is an appropriate argument time for each side at the oral hearing in this IPR2019-00131 proceeding (i.e., 60 minutes for each of Patent Owner and Petitioner Panasonic (totaling 120 minutes) relative to issues in and specific to this IPR2019-00131). The foregoing does not include time to be devoted to oral argument in the separate IPR2019-00127 proceeding.

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

1. Whether Petitioner has carried its burden to prove that claims 1, 3–5, 7, 8, 10–13, and 15–20 of the '698 patent are unpatentable as obvious under 35 U.S.C. § 103 over the combinations of Mashita, Onishi, and Hiraishi based upon the theories and grounds asserted in Petitioner's Petition (Paper 1) for which the Board Instituted Inter Partes Review (Paper 11), which encompass each of the claim construction and patentability issues addressed in the Petitioner's Petition, Patent Owner's Response and Patent Owner's Sur-Reply (but see non-waiver of objections noted in #12 below).

2. The claim construction issues noted in #1 include whether the following terms should be construed as Patent Owner has requested, including in the following summary chart:

Term	**Construction under BRI**
paired connection (including sub-definitions for pair/pairing/paired)	bidirectional communications link between devices which provides encrypted data exchange between the devices, and the communication link can be disconnected and reconnected without having to repeat pairing or authentication
cryptographically authenticated (including sub-definitions for cryptographic/ cryptography and	verified as a legitimate transmission, user, or system including by use of encryption and decryption involving an algorithm

authenticate/ authentication)	
graphical user interface	an interface through which a user interacts with electronic devices such as computers, hand-held devices and other appliances. This interface uses icons, menus and other visual indicator (graphics) representations to display information and related user controls, unlike text-based interfaces, where data and commands are in text. GUI representations are manipulated by a pointing device such as a mouse, trackball, stylus, or a finger on a touch screen

3. Whether the Board should grant or deny either side's Motion to Strike and/or Exclude, including argument to be presented on either side's motions and oppositions;

4. Whether, irrespective of whether the Board grants Patent Owner's Motion to Strike and/or Exclude, it should disregard theories, positions, arguments, and evidence untimely and improperly raised in and with Petitioner's Reply in violation of 37 C.F.R. §42.23(b), including as set forth in Patent Owner's Objections at Paper 25, in Patent Owner's submission at Paper 35, and in Patent Owner's to be filed Motions to Strike and/or Exclude.

5. Whether granting Petitioner's Motion to Strike and/or Exclude in whole or part would result in a violation of Patent Owner's due process rights, including as noted in Patent Owner's submission at Paper .

6. To the extent that the Board does not issue a ruling on pending Motions to Strike/Exclude, Cellspin specifies argument on all issues raised in its Response and Sur-Reply, as well as in the Exhibits thereto, including the Response and Sur-Reply Declarations of Dr. Michael Foley at Exs. 2009 and 2026 (but see non-waiver of objections noted in #12 below).

7. Whether this proceeding and/or the decisions arising therefrom constitute an unconstitutional taking and a due process violation (on account of retroactive application of the IPR statute) and/or a violation of the Constitution's appointments clause, including as already noted and briefed in Patent Owner's Response and Sur-Reply.

8. Argument on all issues specified by Petitioner and/or the Board for argument.

9. Rebuttal to Petitioner's presentation on all matters;

10. Any other issues raised in other motions or papers filed and/or to be filed in this proceeding, including any Motions to Strike/Exclude and/or Oppositions to Motions to Strike/Exclude; and/or objections to demonstrative exhibits, and/or any other motion or paper filed by any party before oral argument.

11. Any other outstanding motions and pleadings, and other issues upon which the Board seeks clarification and/or that the Board deems necessary for issuing a Final Written Decision.

12. The issues noted above are stated without prejudice to Patent Owner's objections to Patent Owner's Objections at Paper 25, Patent Owner's submission at Paper 35, and Patent Owner's to be filed Motions to Strike and/or Exclude. Specifically, to the extent that the Board has, will or may strike or exclude theories, positions, arguments, and evidence untimely and improperly raised in and with Petitioner's Reply in violation of 37 C.F.R. §42.23(b), Patent Owner's present request to argue issues addressed in and with its Sur-Reply does not constitute a waiver of objections to issues improperly or un timely being asserted in and with Petitioner's Reply, or a waiver of such issues improper and/or untimely issues improperly being considered, and/or the basis of any ruling of unpatentability, by the Board.

Patent Owner requests the ability to use and provision of audio-visual equipment to display possible demonstratives and exhibits, including an ELMO, projector, and screen. Patent Owner requests that five spaces be reserved at the oral hearing to accommodate its counsel and corporate representative. Patent Owner requests that its counsel be allowed to use computers at counsel's table, including for consultation and running audio visual presentations.

No fees are required for filing this request; however, the Commissioner is authorized to charge Deposit Account No. 506574.

If the Board has any questions, comments, or suggestions, the undersigned requests a telephone

conference regarding same.

Dated: December 17, 2019

Respectfully submitted,

/s/ John J. Edmonds

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