

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner

v.

MAXELL, LTD.,

Patent Owner

Case No. IPR2020-00200
U.S. Patent No. 10,084,991 B2

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to the Board’s July 21, 2020, Scheduling Order (Paper 12), Petitioner respectfully requests oral argument for the trial currently scheduled on April 19, 2021. If the Board is allowing in-person hearings, Petitioner further requests that the hearing take place in Alexandria, Virginia.

Pursuant to 37 C.F.R. § 42.70(a), Petitioner requests 45 minutes of total time and specifies the following issues, without intent to waive consideration of any issue not requested, to be argued for this proceeding:

1. Whether Claims 1 and 8 are unpatentable under § 103(a) over U.S. Patent No. 7,565,680 to Asmussen (“Asmussen”) in view of U.S. Patent No. 7,584,255 to Bear (“Bear”);

2. Whether Claims 1-5 and 8-12 are unpatentable under § 103(a) over U.S. Patent No. 7,565,680 to Asmussen (“Asmussen”) in view of U.S. Patent No. 7,584,255 to Bear (“Bear”) in further view of U.S. Patent Pub. No. 2007/0139514 to Marley (“Marley”);

3. Whether Claims 5 and 12 are unpatentable under § 103(a) over U.S. Patent No. 7,565,680 to Asmussen (“Asmussen”) in view of U.S. Patent No. 7,584,255 to Bear (“Bear”) in view of U.S. Patent Pub. No. 2007/0139514 to Marley (“Marley”) and in further view of U.S. Patent No. 5,940,484 to DeFazio (“DeFazio”);

4. Whether Claims 1 and 8 are unpatentable under § 103(a) over U.S. Patent No. 7,565,680 to Asmussen (“Asmussen”) in view of U.S. Patent No. 7,584,255 to Bear

(“Bear”) in further view of U.S. Patent Application Pub. No. 2004/0031064 to Lindstrom et al. (“Lindstrom”);

5. Whether Claims 1-5 and 8-12 are unpatentable under § 103(a) over U.S. Patent No. 7,565,680 to Asmussen (“Asmussen”) in view of U.S. Patent No. 7,584,255 to Bear (“Bear”) in view of U.S. Patent Application No. Pub. No. 2004/0031064 to Lindstrom et al. (“Lindstrom”) and in further view of U.S. Patent Pub. No. 2007/0139514 to Marley (“Marley”);

6. Whether Claims 5 and 12 are unpatentable under § 103(a) over U.S. Patent No. 7,565,680 to Asmussen (“Asmussen”) in view of U.S. Patent No. 7,584,255 to Bear (“Bear”) in view of U.S. Patent Application No. Pub. No. 2004/0031064 to Lindstrom et al. (“Lindstrom”) in view of U.S. Patent Pub. No. 2007/0139514 to Marley (“Marley”) and in further view of U.S. Patent No. 5,940,484 to DeFazio (“DeFazio”);

7. Any claim constructions raised in the Petition or Petitioner Reply, the Patent Owner Preliminary Response, Patent Owner Response, any filed Patent Owner Sur-Reply, or the Board’s Institution Decision;

8. Any issues specified in the Patent Owner Response and any filed Patent Owner Sur-Reply;

9. Any issues specified in the Petitioner Reply;

10. Any filed Motions to Exclude; and

11. Any issues otherwise raised by the Board.

Respectfully submitted,

ERISE IP, P.A.

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ATTORNEYS FOR PETITIONER
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CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.6

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on March 3, 2021, the foregoing *Petitioner's Request for Oral Argument* was served via electronic filing with the Board and via Electronic Mail on the following practitioners of record for Patent Owner:

Robert G. Pluta (rpluta@mayerbrown.com)
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/s/ Jennifer C. Bailey _____
Jennifer C. Bailey, Reg. No. 52,583

ATTORNEY FOR PETITIONER