

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

FITBIT, INC.,  
Petitioner

v.

PHILIPS NORTH AMERICA LLC  
Patent Owner

---

IPR2020-00783<sup>1</sup>  
Patent No. 7,088,233

---

**PETITIONER'S REQUEST FOR ORAL ARGUMENT**

---

<sup>1</sup> Garmin International, Inc., Garmin USA, Inc. and Garmin Ltd., who filed a petition in IPR2020-00910, has been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.70 and the Board’s Scheduling Order dated October 27, 2020 (Paper 13), Petitioner Fitbit, Inc. (“Petitioner”) requests Oral Argument on issues related to the patentability of claims 1, 7-10, 13-16, 22, and 24-26 of U.S. Patent No. 7,088,233 (“the ’233 patent”). Petitioner wishes to present argument on the following issues:

- Grounds at issue in this proceeding;
- Any issue addressed in Petitioner’s papers, including but not limited to, the Petition, Petitioner’s Reply to Patent Owner’s Response;
- Motions to exclude filed in this proceeding (if any); and
- Rebuttal to Patent Owner’s presentation on all issues, including the issues listed above and any issues raised in Patent Owner’s Preliminary Response, Patent Owner’s Response, Patent Owner’s Sur-Reply, or elsewhere in the record for this proceeding

The Board previously scheduled the Oral Hearing for this case on July 29, 2021 (Paper 13). Petitioner believes the parties should be allocated 45 minutes per side.

Dated: June 15, 2021

Respectfully submitted,

/ Joseph E. Palys /  
Joseph E. Palys (Reg. No. 46,508)  
Counsel for Petitioner

## CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2021, a copy of the foregoing Petitioner's Request for Oral Argument was served by electronic mail upon the following:

Counsel for Patent Owner:

GBeck@foley.com

EThompson@foley.com

RRodrigues@foley.com

PhilipsIPRs@foley.com

Counsel for Joined Petitioner Garmin:

Adam.seitz@eriseip.com

Jennifer.bailey@eriseip.com

Dated: June 15, 2021

Respectfully submitted,

          / Joseph E. Palys /            
Joseph E. Palys  
Registration No. 46,508

Counsel for Petitioner