

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DISH NETWORK L.L.C., AT&T SERVICES, INC.,  
and DIRECTV, LLC,<sup>1</sup>  
Petitioner

v.

BROADBAND iTV, INC.,  
Patent Owner

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Case IPR2020-01267  
U.S. Patent No. 10,028,026 B2

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**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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<sup>1</sup> AT&T Services, Inc. and DIRECTV, LLC filed a motion for joinder and a petition in Case IPR2021-00556, which were granted, and, therefore, have been joined as petitioners in this proceeding.

Pursuant to 37 C.F.R. § 42.70 and the Board's January 21, 2021 Scheduling Order (Paper 16), Patent Owner Broadband iTV, Inc. ("Patent Owner"), respectfully requests oral argument, which is currently scheduled for November 1, 2021 (*see* Paper 44 (rescheduling oral argument)). Patent Owner believes that 60 minutes is an appropriate argument time for each side at the oral argument in this case.

Patent Owner specifies the following issues to be argued:

- The alleged unpatentability of claims 1-16 of U.S. Patent No. 10,028,026 ("the '026 Patent") as obvious over Gonder and Son;
- The alleged unpatentability of claims 1-16 of the '026 Patent as obvious over Gonder, Son, and Kelts;
- Gonder is not prior art to the '026 Patent;
- Any issues identified in Petitioner's Request for Oral Argument;
- Rebuttal to Petitioner's presentation on all matters;
- Any other issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed, such as any Motions to Exclude and Oppositions to Motions to Exclude; and
- Any other outstanding motions and pleadings, and other issues that the Board deems necessary for issuing a Final Written Decision.

Patent Owner recognizes that circumstances may require a remote video or telephonic hearing in light of the COVID-19 pandemic, subject to the Board's guidance. If the hearing is conducted in-person, Patent Owner requests the ability to use audio-visual equipment to display possible demonstratives and exhibits, including the use of an ELMO, computer, projector, and screen.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons  
Registration No. 65,367  
Counsel for Patent Owner

Date: September 9, 2021

1100 New York Avenue, N.W.  
Washington, D.C. 20005  
(202) 371-2600

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT** was electronically served via e-mail in its entirety on September 9, 2021, upon the following counsel of record for Petitioner:

*Counsel for DISH Network L.L.C.:*  
Alyssa Caridis (Lead Counsel)  
K. Patrick Herman (Back-up Counsel)  
Clement Roberts (Back-up Counsel)  
Will Melehani (Back-up Counsel)  
ORRICK, HERRINGTON, & SUTCLIFFE, LLP  
[A8CPTABDocket@orrick.com](mailto:A8CPTABDocket@orrick.com)  
[P52PTABDocket@orrick.com](mailto:P52PTABDocket@orrick.com)  
[croberts@orrick.com](mailto:croberts@orrick.com)  
[wmelehani@orrick.com](mailto:wmelehani@orrick.com)

*Counsel for AT&T Services, Inc. and DIRECTV, LLC:*  
Roger Fulghum (Lead Counsel)  
Jeffrey S. Becker (Back-up Counsel)  
Morgan G. Mayne (Back-up Counsel)  
BAKER BOTTS L.L.P.  
[roger.fulghum@bakerbotts.com](mailto:roger.fulghum@bakerbotts.com)  
[jeff.becker@bakerbotts.com](mailto:jeff.becker@bakerbotts.com)  
[morgan.mayne@bakerbotts.com](mailto:morgan.mayne@bakerbotts.com)

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons  
Registration No. 65,367  
Counsel for Patent Owner

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Washington, D.C. 20005-3934  
(202) 371-2600

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