

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

RIMFROST AS

Petitioner

v.

AKER BIOMARINE ANTARCTIC AS

Patent Owner

---

Case: IPR2020-01534

U.S. Patent No. 10,010,567 B2

---

**PETITIONER'S  
REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R § 42.70, the Scheduling Order dated May 20, 2021 (Paper 7), Petitioner Rimfrost AS respectfully requests oral argument in connection with IPR2020-01534, currently scheduled for February 17, 2022, in the USPTO headquarters in Alexandria. Petitioner requests sixty (60) minutes in which to present its arguments regarding its Petition (Paper 2).

In accordance with 37 C.F.R § 42.70 and without intending to waive any issue not specifically identified, Petitioner specifies the following issues to be argued:

1. That the claims of U.S. Patent No. 10,010,567 B2 are not patentable over the applied art on the grounds presented in the Petition as summarized in Table I below.

<b>TABLE I</b>			
<b>Ground</b>	<b>References</b>	<b>Basis</b>	<b>Claims Challenged</b>
1	Sampalis I (EX1012) Bottino II (EX1038) Randolph (EX1011)	35 U.S.C. §103(a)	1-5, 7-11, 15-17
2	Sampalis I (EX1012) Bottino II (EX1038) Randolph (EX1011) Breivik II (EX1037)	35 U.S.C. §103(a)	6, 14, 20

TABLE I			
Ground	References	Basis	Claims Challenged
3	Sampalis I (EX1012) Bottino II (EX1038) Randolph (EX1011) Bottino I (EX1007)	35 U.S.C. §103(a)	12, 18
4	Sampalis I (EX1012) Bottino II (EX1038) Randolph (EX1011) Fricke (EX1010) Yamaguchi (EX1162) Hardardottir (EX1164)	35 U.S.C. §103(a)	13, 19

2. That a POSITA would have been motivated to combine the applied references and would have had a reasonable expectation of success in so doing.

4. Any issues raised by Patent Owner in its Request for Oral Argument.

5. Rebuttal to Patent Owner's oral argument and presentation on all matters.

5. Any objections to evidence and any motions to exclude and oppositions thereto.

6. Any other issues that the Board deems necessary for issuing a final written decision.

Petitioner respectfully requests that the Board make available audio-visual equipment available, including a projector to be connected to a laptop to display demonstrative exhibits and documents of record.

Dated: January 6, 2022

Respectfully submitted,

<p><u>/james f. harrington/</u> James F. Harrington (Reg. No. 44,741) <i>Lead Counsel for Petitioner</i></p> <p>John T. Gallagher (Reg. No. 35,516)</p> <p>Hoffmann &amp; Baron, LLP 6900 Jericho Turnpike Syosset, New York 11791 jfhdoCKET@hbiplaw.com Tel: 516.822.3550</p>	<p>Michael I. Chakansky (Reg. No. 31,600) <i>First Back-Up Counsel for Petitioner</i></p> <p>Hoffmann &amp; Baron, LLP 4 Century Drive Parsippany, N.J. 07054 mchakansky@hbiplaw.com Tel: 973.331.1700</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 6<sup>th</sup> day of January 2022, the foregoing PETITIONER'S REQUEST FOR ORAL ARGUMENT was served in its entirety on the following counsel of record by electronic service by email at the email addresses as set forth below in accordance with the consent set forth in Patent Owner's Mandatory Notices Pursuant to 37 C.F.R. § 42.8.

David A. Casimir  
J. Mitchell Jones  
CASIMIR JONES S.C.  
2275 Deming Way, Suite 310  
Middleton, WI 53562  
docketing@casimirjones.com  
dacasimir@casimirjones.com  
jmgjones@casimirjones.com

By: /Michael I. Chakansky/  
Michael I. Chakansky (Reg. No. 31,600)  
Hoffmann & Baron, LLP  
4 Century Drive  
Parsippany, N.J. 07054  
mchakansky@hbiplaw.com  
Tel: 973.331.1700