

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO. LTD., SAMSUNG ELECTRONICS

AMERICA, INC. AND APPLE, INC.,

Petitioners

v.

NEONODE SMARTPHONE LLC,

Patent Owner

Case IPR2021-00145

U.S. Patent No. 8,812,993

**PATENT OWNER NEONODE SMARTPHONE LLC'S REQUEST FOR
ORAL ARGUMENT
37 C.F.R. § 42.70**

Pursuant to the Board's August 13, 2021 Revised Scheduling Order (Paper No. 28), Patent Owner Neonode Smartphone LLC ("Patent Owner") requests oral argument, currently scheduled for March 17, 2022. Patent Owner requests one hour in which to present its arguments. Under 37 C.F.R. § 42.70, and without intending to waive any issue not specifically identified, Patent Owner specifies the following issues to be argued:

1. Whether Petitioner has proven that the challenged claims of U.S. Patent No. 8,812,993 ("the '993 Patent") are unpatentable on Grounds 1A-1D and Grounds 2A-2D of the Petition (Paper No. 1).
2. The construction of the following claim terms:
 - a. "An electronic device."
 - b. "Tap-activatable."
 - c. "System function."
3. Whether secondary considerations support the conclusion that the challenged claims of the '993 Patent are not obvious.
4. Whether Hisatomi is prior art with respect to the challenged claims of the '993 Patent.
5. Whether Petitioner's arguments presented in its Reply (Paper No. 49) impermissibly include grounds or arguments not presented in the Petition.

6. Any issues specified by Petitioner in its Request for Oral Argument.
7. Any issues specified in any motions filed by the parties, including any motions to exclude evidence.
8. Any other issues the Board deems necessary for issuing a final written decision.

Patent Owner further requests the use of audio-visual equipment to assist its arguments and to display its demonstrative exhibits. If the oral argument is conducted in-person, Patent Owner requests the ability to use audio-visual equipment to display demonstrative exhibits, including the use of a projector and screen for PowerPoint display. If the oral argument is conducted by remote videoconferencing, Patent Owner requests permission to use video-conferencing software to allow the presentation of demonstratives.

Dated: January 31, 2022

Respectfully submitted,

/Robert M. Asher/

Robert M. Asher
Reg. No. 30,445
rasher@sunsteinlaw.com
SUNSTEIN LLP
100 High Street
Boston, MA 02110-2321
(617) 443-9292 (phone)
(617) 443-0004 (fax)

IPR2021-00145
Patent Owner's Request for Oral Argument

Philip J. Graves (*pro hac vice*)
philipg@hbsslaw.com
HAGENS BERMAN SOBOL SHAPIRO LLP
301 North Lake Avenue, Suite 920
Pasadena, CA 91101-4129
(213) 330-7150 (phone)
(213) 330-7152 (fax)

CERTIFICATE OF SERVICE

It is certified that on January 31, 2022, the foregoing document has been served on Petitioners as provided in 37 C.F.R. § 42.6(e) via electronic mail at IPR50095-0015P1@fr.com.

Dated: January 31, 2022

Respectfully submitted,

/Robert M. Asher/

Robert M. Asher
Reg. No. 30,445
rasher@sunsteinlaw.com
SUNSTEIN LLP
100 High Street
Boston, MA 02110-2321
(617) 443-9292 (phone)
(617) 443-0004 (fax)

Philip J. Graves (*pro hac vice*)
philipg@hbsslw.com
HAGENS BERMAN SOBOL SHAPIRO LLP
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Pasadena, CA 91101-4129
(213) 330-7150 (phone)
(213) 330-7152 (fax)