

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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TENNANT COMPANY,

*Petitioner,*

v.

OXYGENATOR WATER TECHNOLOGIES, INC.,

*Patent Owner.*

Case No. IPR2021-00625

Patent No. RE 45,415

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**PETITIONER'S REQUEST FOR ORAL ARGUMENT**

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Pursuant to the Board’s Scheduling Order dated August 20, 2021 (Paper 10), Petitioner Tennant Company (“Tennant”) respectfully requests oral argument for the trial currently scheduled on May 20, 2022. Pursuant to 37 C.F.R. § 42.70(a), Tennant specifies the following issues to be argued:

1. The proper construction of the following claim terms:
  - a. “Critical Distance;”
  - b. “Microbubble;”
  - c. “Nanobubble;”
  - d. “Supersaturated;”
  - e. “Flowing Water... Through an Electrolysis Emitter;”
  - f. “Water Temperature is a Factor for Formation of the Suspension;” and
  - g. Any other terms the Board believes would be helpful to construe.
2. Anticipation of Claims 13, 18-23 and 25 by Wikey.
3. Obviousness of Claims 13, 18-23 and 25 over Wikey and AFD.
4. Motivation to combine features disclosed in AFD with the aquarium water treatment apparatus disclosed in Wikey.
5. Obviousness of Claims 13, 18-23, and 25 over Wikey and AFD in View of the General Knowledge, Experience and Common Sense of a

Person of Ordinary Skill in the Art, as Reflected in Wendt, Han,  
Glembotsky, and Burns.

6. Obviousness of Claims 26 and 27 over Wikey and Clark.
7. Motivation to combine features disclosed in Clark with the aquarium water treatment apparatus disclosed in Wikey.
8. Obviousness of Claims 26 and 27 over Wikey, Clark, and AFD.
9. Obviousness of Claims 26 and 27 over Wikey, Clark, and AFD in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.
10. Anticipation of Claims 13, 14, 17-23, and 25 by Davies.
11. Obviousness of Claims 13, 14, 17-23, and 25 over Davies and Hough.
12. Motivation to combine features disclosed in Hough with the electrolytical water treatment apparatus disclosed in Davies.
13. Obviousness of Claims 13, 14, 17-23, and 25 over Davies and Erickson.
14. Motivation to combine features disclosed in Erickson with the electrolytical water treatment apparatus disclosed in Davies.
15. Obviousness of Claims 13, 14, 17-23, and 25 over Davies, Erickson, and Hough.

16. Obviousness of Claims 13, 14, 17-23, and 25 over Davies and Erickson in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.
17. Obviousness of Claims 13, 14, 17-23, and 25 over Davies, Erickson, and Hough in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.
18. Obviousness of Claim 24 over Davies and Schoeberl.
19. Motivation to combine features disclosed in Schoeberl with the electrolytical water treatment apparatus disclosed in Davies.
20. Obviousness of Claim 24 over Davies, Schoeberl, and Hough.
21. Obviousness of Claim 24 over Davies, Erickson, and Schoeberl.
22. Obviousness of Claim 24 over Davies, Erickson, Schoeberl, and Hough.
23. Obviousness of Claim 24 over Davies, Erickson, and Schoeberl in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.

24. Obviousness of Claim 24 over Davies, Erickson, Schoeberl, and Hough in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.
25. Obviousness of Claims 26 and 27 over Davies and Peters.
26. Motivation to combine features disclosed in Peters with the electrolytical water treatment apparatus disclosed in Davies.
27. Obviousness of Claims 26 and 27 over Davies, Peters, and Hough.
28. Obviousness of Claims 26 and 27 over Davies, Peters, and Erickson.
29. Obviousness of Claims 26 and 27 over Davies, Peters, Erickson, and Hough.
30. Obviousness of Claims 26 and 27 over Davies, Peters, and Erickson in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.
31. Obviousness of Claims 26 and 27 over Davies, Peters, Erickson, and Hough in View of the General Knowledge, Experience and Common Sense of a Person of Ordinary Skill in the Art, as Reflected in Wendt, Han, Glembotsky, and Burns.

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