

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ROKU, INC. and VIZIO, INC.,
Petitioner

v.

ANCORA TECHNOLOGIES, INC.,
Patent Owner

Case IPR2021-01406
U.S. Patent No. 6,411,941

PETITIONER'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

Pursuant to 37 C.F.R. § 42.70 and the Board's February 22, 2022

Scheduling Order (Paper 11), the May 4, 2022, Decision Dismissing Joint Motions to Consolidate as Moot (Paper 23),¹ and the parties' Notice of Joint Stipulation to Modify Trial Due Dates 2-4 (Paper 28), Petitioners Roku, Inc. and Vizio, Inc. (collectively, "Petitioner") respectfully request oral argument in IPR2021-01406, which is currently scheduled for October 3, 2022. Petitioner believes that 60 minutes is an appropriate argument time for each side at the oral hearing in this case.

Petitioner specifies the following issues to be argued:

- The unpatentability of claims 1, 2, 11, 13 U.S. Patent No. 6,411,941 ("the '941 patent") as obvious over Hellman in view of Chou, and of claims 1-3, 6-14, and 16 of as obvious over Hellman and Chou, and in further view of Schneck;
- Patent Owner's Objective Evidence of Non-Obviousness;
- Any issues identified in Patent Owner's Request for Oral Argument;
- Rebuttal to Patent Owner's presentation on all matters;

¹ In the Board's Decision, it determined that consolidation of this proceeding with IPR2021-01338, including oral argument, "would not provide efficiency."

Paper 23, at 4.

- 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.

Petitioner recognizes that circumstances may require a telephonic hearing in light of the ongoing COVID-19 pandemic. In view of the Board's recent guidance,² Petitioner hereby requests an in-person oral argument. If the oral argument will be in person, Petitioner asks that it be held at **USPTO headquarters in Alexandria, Virginia**, as set forth in the original scheduling order (Paper 11, at 7) and since Petitioner's counsel is located in Washington, D.C. If the hearing is conducted in person, Petitioner also requests the ability to use audio-visual equipment to display possible demonstratives and exhibits, including the use of an ELMO, computer, projector, and screen.

² Guidance issued June 23, 2022 available at

<https://www.uspto.gov/patents/ptab/hearings>

Respectfully submitted,

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

/Jon E. Wright/

Jon E. Wright
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Counsel for Petitioner

Date: September 2, 2022

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR ORAL ARGUMENT** was served electronically via e-mail on September 2, 2022, in its entirety on the following counsel for Patent Owner:

David A. Gosse (Lead Counsel)
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Respectfully submitted,

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