

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EPIC GAMES, INC.,
Petitioner,

v.

INGENIOSHARE, LLC,
Patent Owner

U.S. PATENT NO. 10,492,038

Case IPR2022-00295

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), Petitioner respectfully requests oral argument. Petitioner requests a consolidated oral argument covering issues with respect to IPR2022-00294 and IPR2022-00295. The issues to be argued with respect to these cases include the following:

1. Obviousness of U.S. Patent No. 10,492,038 on the instituted grounds set forth in IPR2022-00294:

- Ground I — Claims 7, 10–12, 22–24, 33–36, 38–41, 46, 49, 51–53, 55, 57–58, and 64–66 are obvious under 35 U.S.C. § 103 in view of Diacakis;
- Ground II — Claims 8, 9, 43, 44, 47, 48, 50, and 54 are obvious under 35 U.S.C. § 103 in view of Diacakis in combination with Loveland;
- Ground III — Claims 37, 42, 56, 59–63, and 67 are obvious under 35 U.S.C. § 103 in view of Diacakis in combination with Takahashi;
- Ground IV — Claim 45 is obvious under 35 U.S.C. § 103 in view of Diacakis in combination with Loveland and Takahashi.

2. Obviousness of U.S. Patent No. 10,492,038 on the instituted grounds set forth in IPR2022-00295:

- Ground I — Claims 7, 10–12, 22–24, 33–36, 38–41, 46, 49, 51–53, 55, 57–58, and 64–66 are obvious under 35 U.S.C. § 103 in view of Tanigawa in combination with Hullfish;
- Ground II — Claims 8, 9, 43, 44, 47, 48, 50, and 54 are obvious under 35 U.S.C. § 103 in view of Tanigawa in combination with Hullfish and Loveland;

- Ground III — Claims 37, 42, 56, 59–63, and 67 are obvious under 35 U.S.C. § 103 in view of Tanigawa in combination with Hullfish and Takahashi;
- Ground IV — Claim 45 is obvious under 35 U.S.C. § 103 in view of Tanigawa in combination with Hullfish, Loveland, and Takahashi.

3. Procedural and evidentiary issues raised, *e.g.*, in Objections to Evidence.

4. Any additional issues on which the Board seeks information or clarification.

Petitioner requests that each party be allowed a total of sixty (60) minutes for its argument. Petitioner may reserve a portion of its time for rebuttal. Petitioner further requests the use of audio-visual equipment to assist its arguments and to display its demonstrative exhibits. If the Board decides oral argument will be conducted in person, Petitioner requests a computer connectable projector, an ELMO, and a screen. If instead the Board decides oral argument will be conducted by remote videoconferencing, Petitioner requests permission to use videoconferencing software to allow the presentation of demonstratives.

Date: January 25, 2023

Respectfully submitted,

/s/ W. Todd Baker

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served on January 25, 2023 by electronic mail on the attorneys of record below:

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A courtesy copy was also served by via overnight delivery directed to the attorney/agent of record for the patent as identified on USPTO PAIR and associated with USPTO Customer No. 34,071 at the following address:

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