

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC. AND HULU, LLC,

Petitioners,

v.

DIVX, LLC,

Patent Owner.

Case No. IPR2020-00558

U.S. Patent No. 10,225,588

**PETITIONERS' REQUEST FOR ORAL HEARING
PURSUANT TO 37 C.F.R. § 42.70**

Pursuant to 37 C.F.R. § 42.70(A), 35 U.S.C. § 316(a)(10), and the Board's February 1, 2021 Revised Scheduling Order (Paper 24) setting oral hearing, if requested, on May 25, 2021, Petitioners respectfully request an oral hearing with one hour of argument time per side.

In view of the ongoing COVID-19 situation, the fact that both Petitioners' and Patent Owner's counsel are located in California, and the limited availability of vaccines (Petitioners' counsel have not yet had the opportunity to receive any vaccine), Petitioners respectfully requests that the oral hearing be conducted remotely and respectfully requests guidance on the procedures and logistics for doing so. The parties have conferred, and Patent Owner has stated that it also intends to request a remote hearing in this proceeding.

Request for Oral Hearing

Petitioners request (without any intent to waive consideration of any issue not requested) to address the following issues at the oral hearing:

- Ground 1: Claims 1-24 are rendered obvious by Chen (Ex. 1006) in view of Lindahl (Ex. 1007) and Hurst (Ex. 1008);
- The timeliness of the arguments and evidence raised by Patent Owner in the proceedings;
- Any motions to exclude filed by the parties;

- Any other relevant issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed; and
- Any other issues that the Board deems necessary for issuing a Final Written Decision, including any questions, rebuttals, or arguments that may arise during the oral argument.

Petitioners request the ability to reserve a portion of their total time for presenting rebuttal arguments after Patent Owner's presentation. Petitioners additionally request that the Board provide the capability to display demonstrative exhibits, for displaying documents of record. In accordance with the Trial Practice Guide, Fed. Reg. Vol. 77, No. 157, at 48768, Petitioners will contact the Board Trial Division paralegal to discuss this request.

This Request is timely, being filed on March 31, 2021.

Date: March 31, 2021

Respectfully submitted,

/Harper Batts/
Harper Batts (Reg. No. 56,160)
Attorney for Petitioners

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 31, 2021, a complete copy of the foregoing document was served via email to all parties to this proceeding at the addresses indicated:

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