

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEARMAP US, INC.,
Petitioner

v.

EAGLE VIEW TECHNOLOGIES, INC.,
Patent Owner.

IPR2022-00734
U.S. Patent No. 9,135,737

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

In accordance with 37 C.F.R. § 42.70(a), Patent Owner hereby requests an oral argument in the present *inter partes* review. Per the Board's Scheduling Order, the oral argument was originally scheduled for August 8, 2023. *See* Scheduling Order (Paper 11), p. 11. However, due to scheduling conflicts, Patent Owner respectfully requests that the oral argument in this proceeding occur any weekday of the Board's preference during the week of August 14, 2023 (i.e., August 14, 2023 to August 18, 2023), or later. Patent Owner conferred with Petitioner prior to filing this Request for Oral Argument. Petitioner does not oppose Patent Owner's request to move the oral argument to the week of August 14, 2023 or later.

Patent Owner requests a remote virtual hearing with 60 minutes of oral argument per side and the opportunity to address all issues raised in the papers, including:

- whether Petitioner has proven that the challenged claims are unpatentable under Ground 1 (Heller and Quam) and Ground 2 (Heller, Quam, and Deaton);
- whether Patent Owner has shown that the challenged claims are non-obvious based on the evidence of secondary considerations of non-obviousness as presented in Patent Owner's Response (Paper 16 (confidential version));

- any issues raised in the Petition (Paper 2), Institution Decision (Paper 10), Patent Owner's Response (Paper 16 (confidential version)), Petitioner's Reply (Paper 24 (confidential version)), and Patent Owner's Sur-reply (to be filed);
- any other issues raised in any paper filed by the parties;
- any issue raised by Petitioner in its request for oral argument; and
- any responses to issues raised by the Board or Petitioner during the oral argument or for which the Board seeks clarification.

Patent Owner submitted confidential documents in support of its arguments of non-obviousness based on secondary considerations evidence.

See Patent Owner Response (Paper 16) (confidential), pp. 36-64.

Petitioner's Reply (Paper 24) (confidential) addresses Patent Owner's secondary considerations arguments and evidence. *See* Reply (Paper 24), pp. 11-23. Patent Owner's confidential documents are subject to two pending Motions to Seal (Papers 14 and 26). Patent Owner requests that the portion of the oral argument addressing Petitioner's Grounds 1 and 2 be open to the public. However, Patent Owner requests that the portion of the oral argument addressing Patent Owner's secondary considerations arguments and evidence be closed to the public because the parties' arguments relating to the evidence of secondary considerations of non-obviousness address Patent Owner's confidential documents that are subject

to the pending Motions to Seal (Papers 14 and 26).

If the Board has any questions or comments, the undersigned attorney respectfully requests a telephone conference.

Respectfully submitted,

Dated: June 20, 2023
HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Customer No. 27683

/Kyle L. Howard/
Kyle L. Howard
Lead Counsel for Patent Owner
Registration No. 67,568

CERTIFICATE OF SERVICE

The undersigned certifies, under 37 C.F.R. § 42.6, service was made on the
Petitioner as detailed below.

<i>Date of service</i>	June 20, 2023
<i>Manner of service</i>	Electronic Service: IPR53317-0003IP1@fr.com ; axf-ptab@fr.com ; tar@fr.com ; ywang@fr.com ; dsmith@fr.com ; darno@fr.com ; deutsch@fr.com ; bisenius@fr.com
<i>Documents served</i>	PATENT OWNER'S REQUEST FOR ORAL ARGUMENT
<i>Persons served</i>	W. Karl Renner Thomas Rozylowicz Daniel D. Smith Patrick Darno Patrick Bisenius Craig A. Deutsch Yao Wang Fish & Richardson P.C. 60 South Sixth Street, Suite 3200 Minneapolis, MN 55402

/Kyle L. Howard/
Kyle L. Howard
Registration No. 67,568
Lead Counsel for Patent Owner