

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AO KASPERSKY LAB,

Petitioner

v.

OPEN TEXT INC.

Patent Owner

Case IPR2023-00124
Patent No. 9,578,045 B2

**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT
PURSUANT TO 37 C.F.R. § 42.70**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.70(a) and the Scheduling Order entered on June 15, 2023 (Paper No. 12), Patent Owner requests an opportunity to present oral argument regarding the patentability of all claims of U.S. Patent 9,578,045 (“the ’045 patent”) challenged in the petition. Patent Owner understands that oral argument will be held on March 14, 2024, as stated in the Scheduling Order. Patent Owner requests that the oral hearing be held virtually by videoconference.

Without intent to waive consideration of any issue not requested, Patent Owner requests one hour of total argument time to address the following:

- (A) the patentability of claims 1-4, 7-10, 12, and 15-18 of the ’045 patent over the prior art as addressed in the petition (Paper 1) and made part of this *inter partes* review in the Institution Decision (Paper 11), Patent Owner’s Preliminary Response (Paper 7), Petitioner’s Reply to Patent Owner’s Preliminary Response (Paper 8), Patent Owner’s Preliminary Sur-reply to Petitioner’s Preliminary Reply (Paper 9), Patent Owner’s Response (Paper 16), Petitioner’s Reply (Paper 26), Patent Owner’s Sur-reply (due February 8, 2024), and any related papers;
- (B) any motions filed by either party and related papers; and
- (C) any additional issues on which the Board seeks clarification.

Date: February 1, 2024

Respectfully submitted,

KING & SPALDING LLP

/Brian Eutermoser/

Brian Eutermoser
Registration No. 64,058

*Attorney for Patent Owner
Open Text Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT PURSUANT TO 37 C.F.R. § 42.70** was served by filing the documents through the Patent Trial and Appeal Case Tracking System (P-TACTS) on February 1, 2024, and courtesy copies were also served via electronic mail, in their entireties on the following:

Joseph T. Miotke, Reg. No. 47,798

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Request for Oral Argument
Patent No. 9,578,045

Date: February 1, 2024

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