

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,

Petitioner,

v.

OZMO LICENSING LLC,

Patent Owner.

Case No. IPR2023-00193
U.S. Patent No. 9,264,991

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's Scheduling Order (Paper 11), Patent Owner Ozmo Licensing LLC respectfully requests oral argument on the issues set forth below on March 21, 2024 at 10am EDT or starting at such other time that day as the Board shall order. Alternatively, in the event that, pursuant to the Board's January 26, 2024 email correspondence, the Oral Hearing is rescheduled for March 28, 2024,¹ then Patent Owner respectfully requests oral argument on the issues set forth below on March 28, 2024 at 10am EDT or starting at such other time that day as the Board shall order.

Patent Owner and Petitioner have jointly agreed to request that the Oral Hearing be held remotely via a means of virtual attendance by both parties at the hearing. Patent Owner has conferred with Petitioner regarding this request for a remote hearing and Petitioner agrees with this request. To that end, the parties respectfully request that the Board provide a video conferencing platform.

Regarding the duration of the hearing, Patent Owner disagrees with Petitioner's request for 45 minutes of argument per side. Instead, Patent Owner

¹ Patent Owner notes that, on February 2, 2024, Petitioner made an unopposed request for the Board to maintain the originally scheduled date of March 21, 2024.

requests a 120-minute hearing, with 60 minutes total of argument time for Patent Owner and 60 minutes total of argument time for Petitioner.²

Patent Owner requests oral argument on all issues raised in the parties' filings, including but not limited to the following:

1. The proper construction of all claim terms at issue;
2. whether challenged Claims 1, 3-4, 6-7, 14, and 16-17 are patentable over Cromer in view of Ganu (Ground 1) or Cromer in view of Ganu and Sinivaara (Ground 2) under pre-AIA 35 U.S.C. § 103, and whether challenged Claims 15 and 18 are patentable over Cromer in view of Ganu and Judd (Ground 3) or Cromer in view of Ganu, Sinivaara, and Judd (Ground 4) under pre-AIA 35 U.S.C. § 103;
3. any issues addressed in Patent Owner's papers, including but not limited to, the Patent Owner Preliminary Response, the Patent Owner Response, and any Sur-Reply to be filed, or elsewhere in the record for this proceeding;
4. rebuttal to Petitioner's presentation on all matters, including to any

² See Consolidated Trial Practice Guide November 2019 at 81 ("The Board expects to ordinarily provide for an hour of argument per side for a single proceeding").

issues addressed in the Petition and Petitioner's Reply, or elsewhere in the record for this proceeding;

5. any motions to exclude filed by any party;
6. any issues raised in Patent Owner's Objections to Evidence Submitted

Prior to Institution, dated July 5, 2023 (Paper 12); and
any additional issues on which the Board seeks clarification.

Respectfully submitted this 6th day of February, 2024.

/Lawrence P. Cogswell III, Ph.D. 71,441/

Lawrence P. Cogswell III, Ph.D.

Lead Counsel

Reg. No. 71,441

Hamilton, Brook, Smith & Reynolds, P.C.

155 Seaport Blvd.

Boston, Massachusetts 02210

Phone: (617) 607-5900

Fax: (978) 341-0136

Timothy J. Meagher

First Back-up Counsel

Reg. No. 39,302

Hamilton, Brook, Smith & Reynolds, P.C.

155 Seaport Blvd.

Boston, Massachusetts 02210

Phone: (617) 607-5900

Fax: (978) 341-0136

Ronald R. Demsher

Second Back-up Counsel

Reg. No. 42,478

Hamilton, Brook, Smith & Reynolds, P.C.

155 Seaport Blvd.

Boston, Massachusetts 02210

Phone: (617) 607-5900

Fax: (978) 341-0136

Keith J. Wood

Third Back-up Counsel

Reg. No. 45,235

Hamilton, Brook, Smith & Reynolds, P.C.

155 Seaport Blvd.

Boston, Massachusetts 02210

Phone: (617) 607-5900

Fax: (978) 341-0136

Daniel A. Fleisher
Fourth Back-up Counsel
Reg. No. 72,010
Hamilton, Brook, Smith & Reynolds, P.C.
155 Seaport Blvd.
Boston, Massachusetts 02210
Phone: (617) 607-5900
Fax: (978) 341-0136

Attorneys for Patent Owner
Ozmo Licensing LLC

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on February 6, 2024 the foregoing *Patent Owner's Request for Oral Argument* is being served electronically by agreement of the parties at the following email addresses.

JMBaird@duanemorris.com
david@unifiedpatents.com
michelle@unifiedpatents.com
PHBelnap@duanemorris.com

/Lawrence P. Cogswell III, Ph.D. 71,441/
Lawrence P. Cogswell III, Ph.D.
Reg. No. 71,441
Hamilton, Brook, Smith & Reynolds, P.C.
155 Seaport Blvd.
Boston, Massachusetts 02210
Phone: (617) 607-5900
Fax: (978) 341-0136

***Lead Counsel for Patent Owner,
Ozmo Licensing LLC***