

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

DK CROWN HOLDINGS INC.,

Petitioner

v.

DIOGENES LIMITED,

Patent Owner

IPR2023-00266

U.S. Patent No. 10,970,969

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner respectfully requests oral argument in this proceeding.

The parties met and conferred on February 7, 2024, to discuss their respective positions on the oral hearing. Petitioner indicated that it would prefer a joint oral hearing for IPR2023-00262, IPR2023-00266, and IPR2023-00267, Patent Owner does not oppose Petitioner's request(s) for a consolidated hearing.

Patent Owner submits that one-hour (1-hour) per side is sufficient to present arguments, whether oral argument is held solely in this proceeding or a consolidated hearing.

The oral hearing is currently scheduled for March 21, 2024. Patent Owner requests that oral argument be held virtually by videoconference or, alternatively, at the USPTO headquarters in Alexandria, Virginia. Should the Board order that oral argument will be held in-person at the USPTO headquarters, then Patent Owner requests the availability of a projector capable of being connected to a laptop, a screen, and an ELMO document projector for displaying of any demonstratives or exhibits.

Patent Owner requests oral argument on the following issues:

- Issues related to the Board's Institution Decision (Paper 9) and the instituted grounds;
- whether Petitioner has met its burden of proof that claims 1, 2, 8, 9, 13-16, 20-27, 29, and 30 are unpatentable over the cited art references in the instituted grounds;
- any issues raised in Petitioner's request for oral argument;
- rebuttal to any issues raised in Petitioner's oral argument or rebuttal; and
- any additional issues for which the Board seeks clarification.

Dated: February 8, 2024

/Matthew C Juren/

Matthew C. Juren

Reg. No. 68,233

Stephens Juren, PLLC

2500 Tanglewilde St., Suite 320

Houston, Texas 77063

Direct: 832-990-2707

Email: mjuren@patent-lawyers.com

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on February 8, 2024, the foregoing Patent Owner's Request for Oral Argument was served via email on the following counsel of record for Petitioner.

Eliot Williams
G. Hopkins Guy III
Jamie R. Lynn
Thomas C. Martin
Bradley S. Bowling
Andrew D. Wilson
Eliot.Williams@BakerBotts.com;
Hop.Guy@BakerBotts.com;
Jamie.Lynn@BakerBotts.com;
Tommy.Martin@bakerbotts.com;
Brad.Bowling@bakerbotts.com;
Andrew.Wilson@BakerBotts.com; and
DLDraftKingsvDiogenes@BakerBotts.com

Dated: February 8, 2024

/Matthew C Juren/

Matthew C. Juren
Reg. No. 68,233
Stephens Juren, PLLC
2500 Tanglewilde St., Suite 320
Houston, Texas 77063
Main: 832-344-5400
Direct: 832-990-2707
Fax: 832-476-5460
Email: mjuren@patent-lawyers.com
Counsel for Patent Owner