

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC., and
PORSCHE CARS NORTH AMERICA, INC.,
Petitioner

v.

YECHEZKAL EVAN SPERO,
Patent Owner

Case IPR2023-00335¹
U.S. Patent No. 10,894,503 B2

**PETITIONER VOLKSWAGEN GROUP OF AMERICA, INC.'S REQUEST
FOR ORAL ARGUMENT**

Mail Stop "PATENT BOARD"

Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ Porsche Cars North America, Inc., which filed a petition in IPR2023-01321, has been joined as a party to this proceeding.

Pursuant to the Board's July 17, 2023 Scheduling Order (Paper 12), Petitioner Volkswagen Group of America, Inc. ("Petitioner"), respectfully requests oral argument, currently scheduled for April 16, 2024. Petitioner requests that the oral argument in this proceeding be combined with the oral arguments in the related proceedings IPR2023-00197² and IPR2023-00328 (also for U.S. Patent No. 10,894,503). The parties conferred and agreed to the requested combined hearing. The parties conferred regarding the allotted time for these proceedings, but do not agree. In view of the significant overlap of the issues and the prior art in the three '503 patent proceedings, Petitioner proposes that no more than 30 minutes per proceeding (1 hour, 30 minutes total per side) is needed for the combined hearing for the '503 patent. Under 37 C.F.R. § 42.70, and without intending to waive any issue not specifically identified, Petitioner specifies at least the following issues to be argued³:

1. Claims 1-5, 7-8, 10-14, and 18-19 of U.S. Patent No. 10,894,503 ("the '503 patent") are unpatentable under 35 U.S.C. § 103(a) over Beam and

² On February 22, 2024, Petitioner filed a request for oral argument in IPR2023-00197 with an allotted time proposal consistent with the proposal herein.

³ Issues for IPR2023-00197 and IPR2023-00328 are provided in their respective requests for oral argument.

Thominet;

2. Claims 37-45, 47-48, 50-53, and 57-58 of the '503 patent are unpatentable under 35 U.S.C. § 103(a) over Beam, Thominet, and Stam;
3. Claims 9 and 15-17 of the '503 patent are unpatentable under 35 U.S.C. § 103(a) over Beam, Thominet, and Kobayashi;
4. Claims 49 and 54-56 of the '503 patent are unpatentable under 35 U.S.C. § 103(a) over Beam, Thominet, Stam, and Kobayashi;
5. Claim 6 of the '503 patent is unpatentable under 35 U.S.C. § 103(a) over Beam, Thominet, and Braun;
6. Claim 46 of the '503 patent is unpatentable under 35 U.S.C. § 103(a) over Beam, Thominet, Stam, and Braun;
7. Claims 1-5, 7-8, 10-14, 18-19, 37-45, 47-48, 50-53, and 57-58 of the '503 patent are unpatentable under 35 U.S.C. § 103(a) over Karlsson and Harbers;
8. Claims 9, 15-17, 49, and 54-56 of the '503 patent are unpatentable under 35 U.S.C. § 103(a) over Karlsson, Harbers, and Gotou;
9. Claims 6 and 46 of the '503 patent are unpatentable under 35 U.S.C. § 103(a) over Karlsson, Harbers, and Braun;
10. Any issues specified by Patent Owner in its Request for Oral Argument;
and

11. Any other issues the Board deems necessary for issuing a final written decision (e.g., any motion to exclude evidence and any motion to seal evidence).

Petitioner also requests that the Board provide audio-visual equipment to display demonstrative exhibits, including a projector and screen for displaying documents from a computer.

Further, Petitioner requests that the hearing be held at the USPTO's Alexandria, Virginia office because that location will be more convenient, have simpler logistics, and be less costly for Petitioner. Petitioner notes that its counsel are located in the Washington, DC area.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons
Registration No. 65,367
Counsel for Petitioner
Volkswagen Group of America, Inc.

Date: March 5, 2024

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER VOLKSWAGEN GROUP OF AMERICA, INC.'S REQUEST FOR ORAL ARGUMENT** was served in its entirety on March 5, 2024 upon the following parties via electronic mail:

Yechezkal Evan Spero
Sangeeta G. Shah (Lead Counsel)
David S. Bir (Back-up Counsel)
Bernard P. Tomsa (Back-up Counsel)
Andrew B. Turner (Back-up Counsel)
BROOKS KUSHMAN P.C.
TRCH0117IPR@brookskushman.com
TRCH0117IPR1@brookskushman.com

Porsche Cars North America, Inc.
Edgar H. Haug (Lead Counsel)
Robert E. Colletti (Back-up Counsel)
HAUG PARTNERS LLP
ehaug@haugpartners.com
rcolletti@haugpartners.com
PTAB-Porsche@haugpartners.com

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons
Registration No. 65,367
Counsel for Petitioner
Volkswagen Group of America, Inc.

Date: March 5, 2024

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600