UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

FLYPSI, INC. (D/B/A FLYP),
Patent Owner.

Case No. IPR2023-00360
U.S. Patent No. 9,667,770 B2

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board's Scheduling Order, Patent Owner requests oral argument in this *inter partes* review. Because this review and co-pending reviews IPR2023-00357, IPR2023-00358, IPR2023-00359, and IPR2023-00361 include overlapping issues, Patent Owner requests that the cases be heard together in a single hearing. Patent Owner specifies the following issues to be argued (without waiving any issue not identified below):

- The instituted grounds of unpatentability (all petitions);
- The construction of "data channel" (all petitions);
- Whether the prior art discloses and/or renders obvious the "data channel" limitations, including the Petition's inconsistent positions regarding the "data channel" term (all petitions);
- Whether Backhaus inherently anticipates use of the same "switch" for the claimed limitations (-357, -358, -359 petitions);
- Whether Backhaus and Taylor render obvious (-357, -358, -359 petitions);
- The construction of "transmitting pre-call information" (-360, -361 petitions);
- Whether the prior art renders obvious the "transmitting pre-call information" limitations (-360, -361 petitions);

- The construction of "a bridge telephone number for connecting the handset to the incoming call at the switch" (-361 petition);
- Whether a POSITA would combine Backhaus and Winbladh (-361 petition);
- Whether the Backhaus and Winbladh combination renders obvious use of the same "switch" (-361 petition);
- Whether the Backhaus and Winbladh combination renders obvious the "handset to accept the incoming call…" limitation (-361 petition);
- The Petition's conclusory expert testimony (all petitions);
- The disclosure of the prior art references;
- Any issues raised in the parties' substantive papers;
- Any issues raised in papers yet to be filed, such as Motions to Exclude;
- Any arguments made by Petitioner at the oral hearing; and
- Any other issues the Board deems necessary for issuing a final written decision.

Patent Owner prefers a virtual hearing. Petitioner has indicated they are amenable to either a virtual or in-person hearing.

Patent Owner respectfully proposes that Petitioner and Patent Owner each be provided 90 minutes of argument time for the hearing in this proceeding, inclusive of any rebuttal time either party wishes to reserve at the hearing.

Dated: March 21, 2024

/s/ Louis L. Campbell
Louis L. Campbell (Reg. No. 59,963)
WINSTON & STRAWN LLP
255 Shoreline Dr., Ste. 520
Redwood City, CA 94065
llcampbell@winston.com
T: 650.858.6500, F: 650.858.6550

Lead Counsel for Patent Owner
Flypsi, Inc. (d/b/a Flyp)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PATENT OWNER'S REQUEST FOR ORAL ARGUMENT was served electronically via email on March 21, 2024, in its entirety on the following counsel of record:

Naveen Modi (Reg. # 46,224)
Joseph E. Palys (Reg. # 46,508)
Daniel Zeilberger (Reg. # 65,349)
Howard Herr (*pro hac vice approved*)
Puja Patel (*pro hac vice approved*)
PAUL HASTINGS LLP
2050 M St NW
Washington, D.C. 20036
Telephone: (202) 551-1700
Fax: (202) 551-1705
PH-Google-Flypsi-IPR@paulhastings.com
naveenmodi@paulhastings.com
josephpalys@paulhastings.com
danielzeilberger@paulhastings.com
howardherr@paulhastings.com
pujapatel@paulhastings.com

Dated: March 21, 2024

/s/ Louis L. Campbell
Louis L. Campbell (Reg. No. 59,963)
WINSTON & STRAWN LLP
255 Shoreline Dr., Ste. 520
Redwood City, CA 94065
llcampbell@winston.com
T: 650.858.6500, F: 650.858.6550

Lead Counsel for Patent Owner
Flypsi, Inc. (d/b/a Flyp)