

Paper No. ____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIKING DRILL & TOOL, INC.
Petitioner

v.

HONGJIA WANG
Patent Owner

Case IPR2023-00474

U.S. Patent No. 11,007,583

**PETITIONER’S REQUEST FOR ORAL ARGUMENT PURSUANT TO
37 C.F.R. § 42.70(a)**

Pursuant to 37 C.F.R. § 42.70(a) and the Board’s Scheduling Order (Paper No. 14) Petitioner Viking Drill & Tool, Inc. (“Petitioner”) respectfully requests an opportunity to present oral argument regarding issues related to the patentability of the challenged claims of U.S. Patent No. 11,007,583 (the “’583 Patent”) on the instituted grounds in this IPR, any motion to exclude filed in this proceeding, any other pending motions or briefing filed, any additional issues identified in Patent Owner’s request for oral argument, and any additional issues on which the Board seeks clarification. The Board has set a hearing in this matter for April 9, 2024 (Paper No. 16, Due Date 8).

A request for oral argument in the related IPR proceeding (IPR2023-00473) is being filed concurrently with this request. Petitioner and Patent Owner have conferred regarding the parties’ respective proposals for conduct of the proceedings. Petitioner respectfully requests that the Board provide 60 minutes per side for the hearing in this proceeding, in addition to 60 minutes per side for the hearing in the IPR2023-00473 proceeding (i.e., a total of two hours per side for both proceedings, combined).

Petitioner specifies the following issues to be argued in this IPR:

1. Anticipation of claims 1, 2, 5, 8, 13-15, and 19 of the ’583 Patent based on CN203356678U (“Zhou”).

2. Obviousness of claims 1, 2, 5, 7, 8, 12-15, 18, 19, and 22 of the '583 Patent based on Zhou in view of U.S. Patent No. 2,193,186 ("Bannister"), U.S. Patent No. 8,029,215 ("Gentry"), or U.S. Patent No. 10,058,929 ("Durfee"), and the knowledge of a POSA.
3. Obviousness of claims 1, 2, 7, 19, and 22 of the '583 Patent based on U.S. Patent No. 2,276,532 ("Welty"), in view of Bannister, Durfee, U.S. Patent No. 4,582,458 ("Korb"), and/or the knowledge of a POSA.
4. Obviousness of claims 5, 8, 12-15 and 18 based on Welty in view of Bannister, Durfee, Korb and/or the knowledge of a POSA and further in view of Zhou.
5. Any issues raised by the parties in any filings contemporaneous with or subsequent to this Request.
6. Any other issues that the Board deems necessary for issuing a Final Written Decision, including claim construction, any questions, rebuttal, or arguments that may arise during the oral argument.

Petitioner requests technology to display demonstrative exhibits, including technology to allow the exhibits to be viewed by any Judge participating remotely. Petitioner understand that the Scheduling Order (Paper No. 16) sets oral argument, if requested, to take place at the U.S. Patent & Trademark headquarters in Alexandria, Virginia. Petitioner and Patent Owner have conferred regarding Patent

Owner's request to hold oral argument virtually by videoconference (*see* Paper No. 16 at 6) in light of Patent Owner's back-up counsel's recent health concerns.

Petitioner does not oppose Patent Owner's request.

Petitioner expects approximately 5 people, subject to the Board granting Patent Owner's request for oral argument to be held virtually, from Petitioner's side will attend the oral argument

If this request for oral argument is granted, Petitioner will direct its request for audio-visual technology to PTABHearings@uspto.gov.

Dated: February 27, 2024

Respectfully submitted,

/Mitchell R. Williams/

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CERTIFICATE OF SERVICE

I certify that on February 27, 2024, I caused a true and correct copy of the foregoing *Petitioner's Request for Oral Argument Pursuant to 37 C.F.R. § 42.70(a)* was served via electronic mail upon the following:

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