

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION and AFFIRMED NETWORKS, INC.,
Petitioner,

v.

LEMKO CORPORATION,
Patent Owner.

Case IPR2023-00529
U.S. Patent No. 7,653,414

PATENT OWNER'S REQUEST FOR ORAL HEARING

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner Lemko Corporation (“Lemko”), requests the opportunity to present oral argument in this matter. The oral argument is presently scheduled for July 11, 2024. Ex. 3001. Lemko prefers an in-person hearing and requests that each side be allowed a total of 60 minutes for arguments, with the opportunity to reserve a portion of that time for rebuttal. The issues to be argued include the following:

1. Whether Petitioners have met their burden of proving that Challenged Claims 1-8 of U.S. Patent No. 7,653,414 (the “’414 Patent”) are unpatentable as obvious over Mauer in view of Waylett;
2. Whether Petitioners have met their burden of proving that Challenged Claims 11-16 and 21 of the ’414 Patent are unpatentable as obvious over Waylett in view of Mauer;
3. Any claim construction disputes raised by the parties;
4. Lemko’s and Petitioners’ Motions to Exclude Evidence, if any;
5. Any additional issues on which the Board seeks clarification; and
6. Rebuttal of any arguments made by Petitioners.

Petitioner is the party with the burden of proof and will present first at the oral hearing. Lemko will address any issues raised by Petitioners, or questions raised by the Board during presentation. Lemko also respectfully reserves the right

to supplement and/or amend the foregoing statement of issues to the extent the Rules permit.

Respectfully submitted,

Dated: May 14, 2024

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), and pursuant to agreement by the parties that filing with the Board through the Patent Trial and Appeal Case Tracking System (P-TACTS) constitutes electronic service, that service was made on the Petitioners as detailed below.

<i>Date of service</i>	May 14, 2024
<i>Manner of service</i>	Electronic Filing (mhopkins@winston.com; bshelton@winston.com)
<i>Documents served</i>	PATENT OWNER’S REQUEST FOR ORAL HEARING
<i>Persons Served</i>	WINSTON & STRAWN LLP Matthew Hopkins Barry K. Shelton

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