

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUASAR SCIENCE LLC

Petitioner,

v.

COLT INTERNATIONAL CLOTHING, INC. d/b/a COLT LED

Patent Owner.

Case: IPR2023-00611
U.S. Patent No. 10,197,224

PATENT OWNER'S REQUEST RE ORAL ARGUMENT

Pursuant to 37 C.F.R. §42.70(a) and the Scheduling Order (Paper No. 11), the parties met and conferred concerning oral argument and Patent Owner under Colt International Clothing, Inc. dba Colt LED (“COLT”) does not consider oral argument necessary in this matter involving U.S. Patent No. 10,197,224 (“the ‘224 Patent”).

The Scheduling Order sets July 16, 2024 as the date for oral argument. In related proceedings Nos. IPR2023-00613 and IPR2023-00614 challenging validity of certain claims in U.S. Patent Nos. 10,411,582 (“the ‘582 Patent”) and 10,566,895 (“the ‘895 Patent”) oral argument is also set for July 16, 2024, the same day.

While Patent Owner does not consider oral argument necessary in this IPR on the ‘224 Patent, Patent Owner understands that Petitioner will be requesting oral argument. Accordingly, if the Board is inclined to grant Petitioner’s request for oral argument, Patent Owner would request the following:

(1) **REMOTE HEARING** (That the oral argument be conducted remotely, pursuant to the Scheduling Order, and that as set forth at the bottom of p. 6 to top of p. 7 of the Scheduling Order, if the parties do not agree, the hearing will not be in person.)

(2) **HEARD DIRECTLY FOLLOWING THE END OF ORAL**

ARGUMENTS FOR IPR2023-00613 and IPR2023-00614 (The Grounds set forth in IPR2023-00611 on the ‘224 Patent are materially different from those in IPR2023-00613 and IPR2023-00614 involving different

combinations of prior art references. Moreover, the '224 Patent claims are materially different from the claims of the '582 Patent and the '895 Patent.

Therefore, to help keep the issues straight yet for the convenience of the parties and the Board, it is requested that the oral hearing, if any, for this IPR2023-00611 start following the conclusion of oral argument for IPR2023-00613 and IPR2023-00614.

(3) THIRTY (30) MINUTES FOR PATENT OWNER (that Patent Owner receive sixty (30) minutes but Patent Owner has no objection to Petitioner receiving forty five (45) minutes should Petitioner so desire).

It is Patent Owner's understanding that the parties are in agreement on item (2) above, but not on items (1) and (3) above.

To the extent that the Board may hold an oral hearing in this matter, Patent Owner notes that the below issues are expected to be addressed (but reserves the right to argue any appropriate issues):

- i. Whether Petitioner has carried its burden of proof of establishing that any challenged claim of the '224 Patent is obvious in view of the combination of Ground I, namely, Kit (Ex. 1004) in view of Ducharme (Ex. 1005) and Katzir (Ex. 1010);
- ii. Whether Petitioner has carried its burden of proof of establishing

that any challenged claim of the '224 Patent is obvious in view of the combination of Ground II, namely, Mueller (Ex. 1006) in view of Anselms (Ex. 1007) and Simon (Ex. 1008);

- iii. The appropriate weight to be accorded the expert testimony and other evidence presented by each party;
- iv. The appropriate weight of the secondary considerations presented by Patent Owner;
- v. All issues raised in Petitioner's request for oral hearing; and
- vi. Any other issues the Board may raise and/or deem necessary for issuing a Final Written Decision.

Dated: May 28, 2024

By: /David L. Hoffman/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **PATENT OWNER'S REQUEST RE ORAL ARGUMENT** was served on May 28, 2024, via email directed to counsel of record for Petitioner at the following:

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Respectfully submitted,
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