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: IPR2023-00614
U.S. Patent No. 10,566,895

PATENT OWNER'S REQUEST FOR REMOTE AND CONSOLIDATED ORAL ARGUMENT

Pursuant to 37 C.F.R. §42.70(a) and the Scheduling Order (Paper No. 9), the parties met and conferred concerning oral argument and Patent Owner under Colt International Clothing, Inc. dba Colt LED ("COLT") requests that the Board hear oral argument in this IPR involving U.S. Patent No. 10,566,895 ("the '895 Patent").

The Scheduling Order sets July 16, 2024 as the date for oral argument. In related proceeding No. IPR2023-00613 challenging validity of certain claims in U.S. Patent No. 10,411,582 ("the '582 Patent") oral argument is also set for July 16, 2024, the same day. Patent Owner requests:

(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 <u>not</u> be in person.)

(2) **CONSOLIDATION WITH IPR2023-00613** (That oral argument be consolidated with that of IPR2023-00613 because the '895 Patent and the '582 Patent have the same disclosures and many common claim elements, the Grounds are the same in each IPR and the parties have made the same or substantially the same arguments in each IPR)

(3) **SIXTY (60) MINUTES PER SIDE** (that Patent Owner receive sixty (60) minutes total to argue both proceedings)

It is Patent Owner's understanding that the parties are in agreement on items

(2) and (3) above, but not on item (1) above.

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 '895 Patent is obvious in view of the combination of Ground I, namely, Kit (Ex. 1004) in view of Ducharme (Ex. 1005), Ianiro (Ex. 1007) and Katzir (Ex. 1006);

ii. Whether Petitioner has carried its burden of proof of establishing that any challenged claim of the '895 Patent is obvious in view of the combination of Ground II, namely, Ducharme (Ex. 1005) in view of Ianiro (Ex. 1007), Katzir (Ex. 1006) and Hasnain (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/

David L. Hoffman, Lead Counsel
Reg. No. 32,469

David L. Hoffman
(Reg. No. 32,469)
dhoffman@nolanheimann.com

Nolan Heimann LLP
16000 Ventura Blvd., Suite 1200
Encino, CA 91436

Direct 818-946-1158

CERTIFICATE OF SERVICE

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

David M. Magee at David.Magee@gtlaw.com
Greenberg Traurig, LLP
One International Place, Suite 2000
Boston, MA 02110

Trenton Ward (Reg. No. 59,157) at trenton.ward@gtlaw.com
Greenberg Traurig, LLP
Terminus 200
3333 Piedmont Road NE, Suite 2500
Atlanta, GA 30305

Heath J. Briggs (Reg. No. 54,919)
Greenberg Traurig, LLP
1144 15th Street, Suite 3300
Denver, CO 80202
BriggsH@gtlaw.com

Date: May 28, 2024

Respectfully submitted,
NOLAN HEIMANN LLP
Attorneys for the Patent Owner
/David L. Hoffman/
David L. Hoffman, Reg. No. 32,469

David L. Hoffman
(Reg. No. 32,469)
dhoffman@nolanheimann.com
Nolan Heimann LLP
16000 Ventura Blvd., Suite 1200
Encino, CA 91436
Direct 818-946-1158