

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IRIUSRISK, INC.,
Petitioner

v.

THREATMODELER SOFTWARE INC.,
Patent Owner

IPR2023-00656

U.S. Patent No. 10,713,366

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. 42.70(a), Petitioner, IriusRisk Inc. requests oral argument on the issues set forth below at a place and time set by the Board. Oral argument is presently scheduled for July 10, 2024 (Paper No. 8, “Scheduling Order”).

Issues to be Presented by Petitioner at Oral Argument:

1. Proper construction of the relevant claims of the ’366 patent;
2. The ’366 patent is eligible for IPR;
3. Arguments and evidence that claims 1-20 are anticipated under Section 102 by Keenan;
4. Arguments and evidence that claims 1-4, 7-11, and 15-18 are obvious under Section 103 by Zheng in view of Baker and Jones;
5. Arguments and evidence that claims 2, 9, and 17 are obvious under Section 103 over the references of Ground 2 in further view of Galliano;
6. Arguments and evidence that claims 1-20 are obvious under Section 103 over the references of Ground 2 in further view of Keenan;
7. Arguments and evidence that claims 2, 5-6, 9, 12-14, 17, and 19-20 are obvious under Section 103 over the references of Ground 2 in further view of the knowledge of a POSITA;

8. Rebuttal to Patent Owner’s arguments and evidence on all matters including the issues listed above;
9. The timeliness of the arguments raised in the proceedings; and
10. Any other issues that the Board deems necessary for issuing a Final Written Decision, including any questions, rebuttals, or arguments that may arise during the oral argument.

Petitioner requests that the hearing take place via video conference.

Petitioner requests the ability to present demonstratives and exhibits to the Board and the ability to have additional counsel, including in-house counsel, attend the video conference from separate locations.

Dated: May 21, 2024

Respectfully Submitted,

/Brent Yamashita/

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Attorneys for Petitioner IriusRisk Inc.

CERTIFICATE OF SERVICE

The undersigned certifies service of a copy of this document on the Patent Owner’s counsel of record pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(b) by electronic mail to the following:

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Dated: May 21, 2024

Respectfully Submitted,

/Brent Yamashita/

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