

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOM Enterprises, LLC,
Petitioner,

v.

ELAINE AND REINHOLD W. VIETH,
Patent Owners,

Case IPR 2023-00726
Patent 9,066,958

PATENT OWNERS' REQUEST FOR ORAL ARGUMENT

Pursuant to C.F.R. § 42.70(a), Patent Owners Elaine and Reinholt Vieth respectfully request oral argument in connection with IPR 2023-00726 for U.S. Patent No. 9,066,958 (the ‘958 Patent). Oral argument is currently scheduled for June 18, 2024, at 10:00 a.m. Eastern Daylight Time (see Paper 67, p. 2).

Patent Owners request one hour of oral argument time. However, should the Board designate more or less time in total, Patent Owners request that they be given one-half of the allotted oral argument time. Patent Owners may reserve a portion of their allotted time for rebuttal.

Patent Owners request that oral argument be conducted in person at the USPTO Headquarters in Alexandria, Virginia or a USPTO Regional Office convenient for the Panel.

Patent Owners and Petitioner have conferred and agreed to seek one hour each and agreed to seek that the argument be held in person at the USPTO Headquarters in Alexandria VA or a USPTO Regional Office convenient for the Panel.

Patent Owners believe that the following issues should be argued:

1. The proper interpretation of the term “wherein said drop adheres to the surface of said object” found in Claim 1;
2. Whether the petitioner has carried its burden to show by a preponderance of the evidence that claims 1, 3, 4, and 5 are unpatentable as obvious over the references relied upon in the Petition as the asserted grounds;

3. The relevance and strength of Patent Owners' evidence of secondary considerations;
4. The weight and sufficiency of the evidence in this IPR;
5. Any other issues and arguments raised in the Petition, the Institution Decision, Patent Owner's Response to the Petition, Patent Owner's Sur-Reply; and to the extent not stricken or excluded before the hearing the issues and arguments set forth in Petitioner's Reply;
6. Any issue raised by any party in any motion or notice to the extent not stricken or excluded; and
7. Any further response to Petitioner's presentation on any matter or to any issue raised by the Board.

Patent Owners request that the Board's staff provide audio-visual equipment to display demonstrative exhibits, including the use of a projector and screen along with necessary connections to a laptop and an ELMO projector.

Dated: April 30, 2024.

Respectfully submitted,

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Counsel for Patent Owners

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6(e) that on April 30, 2024, **PATENT OWNERS' REQUEST FOR ORAL HEARING** is being served, by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) and by electronic mail as directed by Petitioner upon the following counsel of record for Petitioners:

David B. Conrad
Lance E. Wyatt
Sarika Patel
Casey Kraning
Fish and Richardson P.C.
To: IPR53953-0001IP1@fr.com

/Mark E Ungerman/
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