

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAYPAL HOLDINGS, INC., AND PAYPAL, INC.

Petitioners,

v.

FINTIV, INC.,

Patent Owner.

Case No. IPR2023-00744
U.S. Patent No. 8,538,845

PATENT OWNER'S REQUEST FOR ORAL HEARING

Pursuant to 37 C.F.R. § 42.70, and the Board's Scheduling Order, dated October 19, 2023, Patent Owner hereby requests an oral argument in the present *inter partes* review. Per the Board's Scheduling Order, the oral argument is currently scheduled for July 18, 2024. Scheduling Order, Paper 11, p. 11.

Patent Owner respectfully requests a remote virtual hearing. Patent Owner understands that Petitioner is requesting an in-person hearing. A meet and confer was held on June 5, 2024, and the parties remained at an impasse regarding whether the hearing should be held in-person or virtually. To the extent Petitioner's request for the hearing to be held in person in Alexandria, VA at the United States Patent and Trademark Office is granted, Patent Owner requests appropriate computer equipment to display PowerPoint slides of Exhibits and Demonstrative Exhibits.

Patent Owner agrees with Petitioner that each side should have a total of one (1) hour to present oral argument at the hearing.

Patent Owner respectfully requests the opportunity to present oral arguments on all issues raised in the papers pertaining to the instituted grounds, including:

- how Petitioner has failed to meet its burden that: (i) claims 5 and 7 are anticipated by Tumminaro (Ground 1), (ii) claims 5 and 7 are obvious over Tumminaro and the background knowledge of a person of ordinary skill in the art (Ground 2) and (iii) claims 1-3 are obvious over Tumminaro, Keena and the

background knowledge of a person of ordinary skill in the art, as presented in the Petition (Paper 2);

- any issue raised in the Board's Institution Decision (Paper 10);
- any argument raised in the Petition (Paper 2), Patent Owner's Response (Paper 14), Petitioner's Reply (Paper 16), and Patent Owner's Sur-reply (Paper 17), including the parties' claim construction and prior art arguments;
- any issue raised in any paper of record in this proceeding;
- any issue raised by Petitioner in its request for oral argument; and
- any issue raised by the Board during the oral argument or for which the Board seeks clarification.

If the Board has any questions or comments, the undersigned attorney respectfully requests a telephone conference.

Respectfully submitted,

Dated: June 6, 2024

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CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing **PATENT OWNER'S REQUEST FOR ORAL HEARING** was served via email (as consented to by counsel) on **June 6, 2024** to lead and backup counsel of record for Petitioner as follows:

Lead Counsel	Backup Counsel
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Respectfully submitted,

Dated: June 6, 2024

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