

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MAPLEBEAR INC. D/B/A INSTACART
Petitioner

v.

CONSUMERON, LLC
Patent Owner

IPR2023-00865
U.S. Patent 11,238,465

PETITIONER'S REQUEST FOR ORAL ARGUMENT

In accordance with 37 C.F.R. § 42.70(a), Petitioner hereby requests oral argument in the present *inter partes* review. Per the Board's Scheduling Order (Paper 10), the oral argument is scheduled for August 27, 2024. *See* Scheduling Order, 11.

Petitioner requests a remote virtual hearing with 45 minutes of total oral argument per side and the opportunity to address all issues raised in the papers, including:

- the priority date of the '465 patent;
- the unpatentability of claims 1, 4-5, 8-9, 11-12, 14, and 16-17 as obvious under 35 U.S.C. § 103 over Carr in view of Lauka;
- the unpatentability of claims 2-3, 10, and 15 as obvious under 35 U.S.C. § 103 over Carr in view of Lauka and further in view of Yee;
- the unpatentability of claims 6 and 7 as obvious under 35 U.S.C. § 103 over Carr in view of Lauka and further in view of Cincotta;
- the unpatentability of claim 13 as obvious under 35 U.S.C. § 103 over Carr in view of Lauka and further in view of Argue;
- the unpatentability of claims 18 and 19 as obvious under 35 U.S.C. § 103 over Carr in view of Lauka and further in view of Dearing;
- any issue raised in the Board's Institution Decision (Paper 9);
- any issue raised in any paper of record in this proceeding;
- any issue raised by Patent Owner in its request for oral argument; and
- any issue raised by the Board during the oral argument or for which the Board seeks clarification.

The parties have met and conferred but could not reach an agreement regarding the amount of time needed for oral argument.

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

Respectfully submitted,

Date: July 15, 2024
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/Scott T. Jarratt/
Scott T. Jarratt
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Registration No. 70,297

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6, that service was made on the Patent Owner as detailed below.

Date of service July 15, 2024

Manner of service Electronic Service:

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Documents served **Petitioner's Request for Oral Argument**

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