

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FOURSQUARE LABS, INC.,

Petitioner,

v.

BOARDACTIVE CORPORATION,

Patent Owner.

IPR2023-00918

U.S. Patent No. 10,621,620

PETITIONER'S REQUEST FOR ORAL ARGUMENT

37 C.F.R. § 42.70

Petitioner's Request for Oral Argument

Pursuant to the Scheduling Order (Paper 8), Foursquare Labs, Inc.

("Petitioner") respectfully requests oral argument by in-person hearing at USPTO Headquarters in Alexandria, Virginia as scheduled to be held on September 4, 2024. Petitioner requests allocation of 60 minutes per side for the oral argument, and, without intent to waive consideration of any issues not requested, identifies the following issues among those to be addressed:

(1) Unpatentability of any of claims 1-29 of the '620 Patent according to the Grounds identified in the Petition, excerpted below:

<u>GROUND</u>	<u>CHALLENGED CLAIMS</u>	<u>STATUTORY GROUND AND PRIOR ART</u>
Ground 1	28 & 29	Anticipated under 35 U.S.C. §102 by Verizon (Ex. 1004)
Ground 2	28 & 29	Obvious under 35 U.S.C. §103 over Verizon in view of Kerr (Ex. 1005) and/or Geer (Ex. 1006)
Ground 3	1-6 & 11-27	Obvious under 35 U.S.C. §103 over Verizon
Ground 4	1-6 & 11-27	Obvious under 35 U.S.C. §103 over Verizon in view of Muhire (Ex. 1007)
Ground 5	1-6 & 11-27	Obvious under 35 U.S.C. §103 over Verizon alone or with Muhire, further in view of Kerr
Ground 6	7-10	Obvious under 35 U.S.C. §103 over Verizon with Kerr (or also Muhire), further in view of Sehn (Ex. 1008)
Ground 7	1 & 11-27	Obvious under 35 U.S.C. §103 over Alcatel (Ex. 1009) in view of Kerr
Ground 8	1 & 11-27	Obvious under 35 U.S.C. §103 over Alcatel and Kerr, further in view of Muhire
Ground 9	1-6 & 22-27	Obvious under 35 U.S.C. §103 over Alcatel and Kerr, further in view of Verizon
Ground 10	1-6 & 22-27	Obvious under 35 U.S.C. §103 over Alcatel, Kerr, and Muhire, further in view of Verizon

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Ground 11	7-10	Obvious under 35 U.S.C. §103 over Alcatel, Kerr (or also Muhire), and Verizon, further in view of Sehn
Ground 12	28 & 29	Anticipated under 35 U.S.C. § 102 over Alcatel
Ground 13	28 & 29	Obvious under 35 U.S.C. §103 over Alcatel in view of Kerr and/or Geer

- (2) Construction of any disputed claim term(s);
- (3) Any issue raised by Patent Owner in its Response(s), Sur-reply, motions or in its Request for Oral Argument, if any;
- (4) Any procedural or evidentiary issue raised by either party;
- (5) Rebuttal to Patent Owner's presentation on all matters; and
- (6) Any other issues or arguments raised in the Papers, in any cited Exhibits, or otherwise raised by the Petitioner, Patent Owner, or the Board.

Petitioner requests the ability to use audio/visual equipment to display demonstrative exhibits and evidence of record, including the use of a computer, projector, and screen for a PowerPoint presentation, an overhead projector ("Elmo"), and other visual display, including any substituted equipment and/or computer software implemented by the Board as needed.

Respectfully,

Date: July 10, 2024

/ Steven D. Shipe /

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on this 10th day of July 2024, I caused a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR ORAL ARGUMENT**, and any accompanying exhibits, to be served on Patent Owner via electronic mail at the following addresses of record:

meredith@addyhart.com;
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/ Steven D. Shipe /

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