

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALIVECOR, INC.,
Petitioner

v.

APPLE INC.,
Patent Owner

Case No. IPR2023-00950

U.S. Patent No. 10,076,257 B2

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board’s Revised Scheduling Order (Paper 30), Petitioner AliveCor, Inc. (“AliveCor”) hereby requests oral argument on issues related to the patentability of the challenged claims of U.S. Patent No. 10,076,257 (the “’257 patent”), as set forth in more detail below, at a time set by the Board.

Without intending to waive any issue not specifically identified, Petitioner wishes to present arguments on the following issues:

- Apple’s proposed constructions for “embedded in” and “bezel,” and any other claim construction issues presented in the papers;
- Grounds at issue in this proceeding, including all issues raised by the parties relating to the grounds in this proceeding (Grounds 1–3);
- Any issues addressed in Petitioner’s papers, including but not limited to the Petition and Petitioner’s Reply;
- Any issues addressed in Petitioner’s papers in opposition to Patent Owner’s Revised Contingent Motion to Amend, including but not limited to Petitioner’s Opposition and any sur-reply to be filed;
- Rebuttal to Patent Owner’s presentation and positions on all issues, including the issues listed above and any issues raised in Patent Owner’s papers, including Patent Owner’s Response, Sur-reply, Contingent Motion

to Amend, any reply to be filed, or elsewhere in the record for this proceeding;

- Any motions to exclude filed by any party;
- Any issues raised in Petitioner's Objections to Evidence Submitted Prior to Institution, dated January 24, 2024, and Petitioner's Objections to Evidence Served April 11, 2024, dated April 18, 2024; and
- Any other issues the Board deems necessary for issuing a final written decision.

The Board previously schedule Oral Argument for this case on November 5, 2024. Petitioner requests an in-person hearing at the USPTO headquarters in Alexandria, Virginia that begins at 9am Eastern. Petitioner requests no more than seventy-five (75) minutes per side to present arguments, inclusive of any time reserved for rebuttal or sur-rebuttal.

Date: September 24, 2024

By: /Christopher TL Douglas /
Christopher TL Douglas
(Reg. 56,950)

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§42.6(e), 42.105, the undersigned hereby certifies that true and correct copies of the above-captioned PETITIONER'S REQUEST FOR ORAL ARGUMENT was served via electronic mail to the following attorneys of record for Patent Owner:

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Date: September 24, 2024

By: / Christopher TL Douglas /
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