

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PELOTON INTERACTIVE, INC.,
Petitioner,

v.

NEC CORPORATION,
Patent Owner.

Case IPR2023-01241

Patent 9,769,427

PATENT OWNER'S REQUEST FOR ORAL HEARING
37 C.F.R. § 42.70

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner respectfully requests the opportunity to present oral argument. As specified in the Board's February 7, 2024 Scheduling Order (Paper No. 18), oral argument for this IPR is scheduled for November 8, 2024. Relatedly, an associated IPR, IPR2023-01240, for the same patent, US 9,769,427, has been scheduled for oral argument on this same day, November 8, 2024, pursuant to the Board's Scheduling Order in that IPR at Paper No. 17.

Patent Owner requests these IPRs be argued during the same session, with both sides each given sixty (60) minutes in total to argue their respective cases. Patent Owner also requests that the oral argument be held **remotely by videoconference**,¹ rather than in person, consistent with the Board's notice that "[t]he Parties may also request that the oral argument instead be held virtually by videoconference." Paper 18 at 7. Patent Owner requests the ability to present demonstratives and exhibits to the Board during the videoconference (e.g., using a "screen share" function), and the ability to have additional counsel attend the videoconference from separate locations.

¹ Pursuant to the Scheduling Order (Paper 18 at 7), the parties met and conferred and Petitioner stated that it does not oppose Patent Owner's request for oral argument and does not oppose the duration and location (remote) of oral argument set forth in Patent Owner's request.

Patent Owner requests oral hearing on all instituted grounds of unpatentability, disputed claim constructions, any motions to exclude, any procedural or evidentiary issues raised by the parties, and any additional issues or questions raised by the Board or the parties before or during the oral argument. Patent Owner also requests oral argument on any issues raised by Petitioner in its Request for Oral Argument.

Respectfully submitted,

BAKER BOTTS L.L.P.

/Eliot D. Williams/

Eliot D. Williams (Reg. No. 50,822)

Lead Counsel for Petitioner

Date: September 25, 2024

700 K Street, N.W.
Washington, D.C. 20001-5692
202-639-1334
eliot.williams@bakerbotts.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies on this 25th day of September 2024, that true and correct copies of the foregoing **PATENT OWNER'S REQUEST FOR ORAL HEARING** were served in their entirety on the following parties via electronic mail:

Scott Weidenfeller (sweidenfeller@cov.com)
Darren Franklin (dfranklin@sheppardmullin.com)
Mark Catanese (mcatanese@sheppardmullin.com)
Daniel Yannuzzi (dyannuzzi@sheppardmullin.com)
Anupam Sharma (asharma@cov.com)
Peloton-Cov-IPR@cov.com

BAKER BOTTS L.L.P.

/Eliot D. Williams/
Eliot D. Williams (Reg. No. 50,822)
Lead Counsel for Petitioner

Date: September 25, 2024