

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLGATE-PALMOLIVE COMPANY,
Petitioner,

v.

NOBLE INNOVATIONS NC L.L.C.,
Patent Owner

IPR2023-01254
U.S. Patent No. 8,881,332

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's February 1, 2024, Scheduling Order (Paper 13), Petitioner Colgate-Palmolive Company respectfully requests oral argument in the present inter partes review proceeding be held virtually via videoconference. Oral argument is currently scheduled for October 31, 2024, as set forth in the Scheduling Order.

The parties conferred on September 18, 2024 on each party's preference regarding the time for argument per side and whether oral argument is held at the USPTO headquarters or virtually by videoconference. The parties agreed on 60 minutes per side, but not on whether oral argument should be held at the USPTO headquarters or virtually by videoconference.

Petitioner respectfully requests that oral argument be held virtually by videoconference and requests 60 minutes of argument per side. Petitioner requests oral argument via videoconference because Michael C. Wilson, backup counsel for Petitioner who will be presenting for Petitioner during oral argument, currently has a trial setting in Oklahoma beginning on November 4, 2024, and must be in Oklahoma for pretrial activities the week of October 28, making it extremely difficult to travel to Washington D.C. on and around October 31, 2024 for the oral argument.

Petitioner specifies the following issues (without waiving consideration of any issue not listed below) to be argued:

1. All grounds of unpatentability raised in this proceeding;
2. Any issue raised by Patent Owner in its papers;
3. Any subsidiary issue relevant to issues (1) and (2), including, without limitation, claim construction, assessment of evidence, and admissibility of evidence;
4. Any motion pending at the time of the oral argument;
5. Any procedural or evidentiary issues raised by the parties; and
6. Any additional issues or questions raised by the Board or the parties before or during the oral argument.

If oral argument is instead ordered to be held in person, Petitioner requests that the Board provide audiovisual equipment to display demonstrative exhibits, including a projector to be connected to a laptop.

Dated: September 19, 2024

Respectfully submitted,

By: /Keith D. Harden/
Keith D. Harden
Registration No. 74,472
Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing PETITIONER’S REQUEST FOR ORAL ARGUMENT was served on September 19, 2024 by electronic mail on the following counsel for Patent Owner:

Lead Counsel: Joseph J. Zito Registration No. 32,076 DNL Zito 1250 Connecticut Avenue, NW Suite 700 Washington, DC 20036 Telephone: (202) 466-3500 Facsimile: (703) 890-9418 Email: jzito@dnlzito.com litigation@dnlzito.com	Backup Counsel: Benjamin C. Deming Registration No. 65,307 DNL Zito 1250 Connecticut Avenue, NW Suite 700 Washington, DC 20036 Telephone: (214) 799-1145 Facsimile: (703) 890-9418 Email: bdeming@dnlzito.com
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Dated: September 19, 2024

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