

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

10X GENOMICS, INC.,
Petitioner

v.

BRUKER SPATIAL BIOLOGY, INC.,
Patent Owner

Case IPR2023-01298
U.S. Patent No. 11,377,689

PETITIONER’S REQUEST FOR ORAL ARGUMENT

Mail Stop “PATENT BOARD”
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to the Board’s August 20, 2024 Revised Scheduling Order (Paper 35), Petitioner 10x Genomics, Inc. (“Petitioner”) respectfully requests oral argument, currently scheduled for March 12, 2025. Petitioner requests one hour in which to present its arguments, subject to any additional time allowed for participation in the LEAP program. Under 37 C.F.R. § 42.70, and without intending to waive any issue not specifically identified, Petitioner specifies the following issues to be argued:

1. Whether claims 1–8, 11–23, 26–30 of U.S. Patent No. 11,377,689 (“the 689 patent”) are unpatentable under 35 U.S.C. § 102 as anticipated by So-456;
2. Whether claims 1–30 of the 689 patent are unpatentable under 35 U.S.C. § 103 as obvious over So-456;
3. Whether claims 9, 10, 24, and 25 of the 689 patent are unpatentable under 35 U.S.C. § 103 as obvious over So-456 and Stahl;
4. Whether claims 1–30 of the 689 patent are entitled to the benefit of any priority date earlier than September 16, 2021;
5. Whether claims 1–30 of the 689 patent are unpatentable under 35 U.S.C. § 102 as anticipated by Chell;
6. Any issues specified by Patent Owner in its Request for Oral

Argument; and

7. Any other issues the Board deems necessary for issuing a final written decision (e.g., any motion to exclude evidence and any motion to seal evidence).

Petitioner also requests that the Board provide audio-visual equipment to display demonstrative exhibits, including a projector and screen for displaying documents from a computer.

Further, Petitioner requests that the hearing be held at the USPTO's Alexandria, Virginia office, because that location will be more convenient, have simpler logistics, and be less costly for Petitioner. Petitioner notes that its Counsel are located in the Washington, D.C. area. Petitioner also notes that Counsel for Patent Owner also maintains an office in the Washington, D.C. area.

Respectfully submitted,

STERNE KESSLER GOLDSTEIN & FOX PLLC

/David H. Holman/

David H. Holman, Ph.D.
Registration No. 61,205
Lead Attorney for Petitioner

Date: January 24, 2025

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER'S REQUEST FOR ORAL ARGUMENT** was served in its entirety on January 24, 2025, upon the following parties via electronic mail:

Derek C. Walter (Lead Counsel)
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Respectfully submitted,

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Date: January 24, 2025

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