

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Hisense USA Corporation
Petitioner

v.

Brightplus Ventures LLC
Patent Owner

IPR2023-01311
Patent No. 8,177,382

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), and the Scheduling Order (Paper 8), Petitioner Hisense USA Corporation (“Petitioner”) requests that the Board hear oral argument in this matter.

The Original Scheduling Order (Paper 8) sets December 6, 2024, as the date for oral argument, and the Revised Scheduling Order (Paper 17) modifies this date to January 8, 2025, and notes that “[b]ecause a revised motion to amend has not yet been filed, we do not set due dates for briefing related to a revised motion to amend. Should Patent Owner file a revised motion to amend, we will again revise the scheduling order accordingly, taking into consideration the parties’ proposed revised schedule (*see* Ex. 3001).” Paper 17 at 3.

Petitioner requests that the oral argument proceed on January 8, 2025, or, if the schedule is further altered, on another date when the Board is available. Petitioner requests: (1) that the oral argument be conducted in person at the USPTO headquarters in Alexandria, Virginia;¹ (2) that it be given ninety (60) minutes, to present its argument; and (3) the use of a projector to display demonstratives during Argument.

Petitioner specifies the following issues to be argued:

¹ The Original Scheduling Order (Paper 8) specifies that “The parties may request that the oral argument be held at the USPTO headquarters in Alexandria.”

1. Whether Original Claims 1-20 are obvious in view of the prior art grounds presented in the Petition.
2. Whether Patent Owner's Contingent Motion to Amend or Revised Motion to Amend (if one is filed) complies with Section 316(d) or Rule 42.121, including whether the number of substitute claims is reasonable, whether the substitute claims respond to the grounds of unpatentability involved in the proceeding, enlarge the scope of the original claims, or violate the written description or definiteness requirements.
3. Whether Patent Owner's substitute claims are obvious in view of the prior art submitted with the Petition or the prior art submitted in Petitioner's Opposition to the Motion to Amend and/or Opposition to the Revised Motion to Amend (if one is filed).
4. The appropriate weight to be accorded each parties' expert testimony.
5. All issues raised in Patent Owner's request for oral hearing.

6. Any outstanding motions, pleadings, or other issues that the Board raises or deems necessary for issuing a Final Written Decision and resolving Patent Owner's Motion to Amend.

Dated: October 15, 2024

Respectfully submitted,

By: /s/ Michael Morlock
Michael Morlock
Registration No. 62,245
Backup Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date below a copy of this
PETITIONER'S REQUEST FOR ORAL ARGUMENT was served on Patent
Owner by filing through the P-TACTS System, as well as by delivering a copy
via electronic mail to the following:

hni@nilawfirm.com
nmassand@nilawfirm.com
twang@nilawfirm.com

Dated: October 15, 2024

By: /s/ Michael Morlock
Michael Morlock
Registration No. 62,245