

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Omega Liner Company, Inc.,

Petitioner,

v.

Buergofol GmbH,

Patent Owner.

Case No. IPR2023-01372

Patent No. 9,657,882

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), Petitioner, Omega Liner Company, Inc., hereby submits this Request for Oral Argument on all of the instituted grounds of unpatentability of 1, 3–7, and 10–13 of U.S. Patent No. 9,657,882. Petitioner requests a hearing with 60 minutes per side for arguments (120 minutes total). The Board has already scheduled Oral Argument for December 17, 2024. (Paper 9, p. 11.) Petitioner is amenable to either an in-person hearing or a remote hearing, and defers to the Patent Owner’s preference.

Regarding this proceeding, Petitioner requests (without waiving consideration of any issue not listed below) to address the following issues:

1. Whether claims 1, 4-7, 10-11 are unpatentable over Hummel pursuant to 35 U.S.C. § 102(b);
2. Whether claim 3 is unpatentable over Hummel pursuant to 35 U.S.C. § 103;
3. Whether claims 1, 3-7, 10-13 are unpatentable over Hummel in view of Schuhmann pursuant to 35 U.S.C. § 103;
4. Whether claims 1, 3-7, 10-13 are unpatentable over Hummel in view of Nagai pursuant to 35 U.S.C. § 103;
5. Rebuttal to Patent Owner’s presentation on all issues, including the issues listed above and any issues raised in Patent Owner’s Response and Patent Owner’s Sur-Reply;

6. Any outstanding motions;
7. Any other issues raised in any paper filed by the parties;
8. Any responses to issues raised by the Board or Patent Owner at the oral argument; and
9. Any additional issues on which the Board seeks clarification.

If the Board has any questions or comments, the undersigned attorney respectfully requests a telephone conference.

Respectfully submitted,

Date: October 20, 2024

/Michael S. Neustel/

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned hereby certifies that a copy of the foregoing PETITIONER'S REQUEST FOR ORAL ARGUMENT was served by filing this document on the date indicated below through the Patent Trial and Appeal Case Tracking System (P-TACTS) and via e-mail to the following attorneys of record for the Patent Owner listed below:

Patrick A. Doody - patrick.doody@pillsburylaw.com

Darien Wallace - darien@imperiumpw.com

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Date: October 20, 2024

/Michael S. Neustel/

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