

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOAST INC.,

Petitioner,

v.

GRATUITY, LLC,

Patent Owner.

IPR2023-01408
U.S. Patent No. 9,741,050 B2

PATENT OWNER'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 37 C.F.R. § 42.70, Patent Owner Gratuity, LLC ("Gratuity") respectfully requests oral argument on issues related to the instituted grounds and on any issues raised in any pending motions or briefing filed by the parties. The scheduling order (Paper No. 12) sets oral argument for January 10, 2025.

Gratuity specifies, without intent to waive consideration of any issue not requested, the following non-exclusive list of issues to be argued:

1. Validity of all challenged claims 1-13;
2. Any issues identified in Petitioner's Request for Oral Argument;
3. Any issue raised in papers filed in this proceeding, including issues raised in papers yet to be filed, such as any Motions to Exclude and Oppositions to Motions to Exclude;
4. Any procedural or evidentiary issues raised; and
5. Any additional issue on which the Board seeks clarification or deems necessary for issuing a final written decision.

Gratuity reserves the right to supplement and/or amend this statement of issues to the extent permitted by the Board and/or any applicable rules.

Gratuity respectfully proposes that Gratuity and Petitioner each be provided 60 minutes of argument time, inclusive of any rebuttal time either party wishes to reserve at the hearing.

Gratuity and Petitioner met and conferred, and agree the hearing should be held in person at the Patent and Trademark Office in Alexandria. Gratuity requests the ability to display demonstratives and exhibits during the hearing.

Dated: November 12, 2024

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on November 12, 2024, the foregoing document is being served via electronic mail upon the following counsel of record for Petitioner:

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