UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Prime Time Toys LLC, Prime Time Toys Ltd.
and Easebon Services Ltd.,
Petitioners,

v.

Spin Master, Inc.,
Patent Owner.

Case IPR2023-01461

PATENT NO. 8,596,255

PETITIONERS' REQUEST FOR ORAL ARGUMENT PURSUANT TO 37 C.F.R. § 42.70(a)

Pursuant to 37 C.F.R. § 42.70(a) and the Scheduling Order (Paper 15), Petitioners request an opportunity to present a consolidated oral argument regarding the claims challenged in IPR2023-01339 (Patent No. 8,640,683), IPR2023-01348 (Patent No. 8,371,282), and IPR2023-01461 (Patent No. 8,596,255). The Board has set a hearing on these matters for May 16, 2025. Paper 15, Due Date 8.

Petitioners request that the hearing be held in-person at the USPTO headquarters in Alexandria, Virginia. Petitioners and Patent Owner have conferred, and Patent Owner does not oppose this request. Petitioners expect to have no more than three individuals (including lead and back-up counsel) attending the in-person hearing on their behalf. Petitioners also request permission for counsel to use laptops in the hearing room and at counsel table, and the ability to use audio-visual equipment to display demonstrative exhibits, including the use of a computer-connectable projector and screen for PowerPoint display.

Petitioners request that the parties each be allotted 45 minutes of consolidated argument time to address all three IPRs at issue. Petitioners and Patent Owner have conferred, and Patent Owner does not oppose this request. Petitioners further request permission to reserve some of the 45 minutes to present rebuttal argument after Patent Owner's presentation.

In compliance with 37 C.F.R. § 42.70(a), Petitioners identify the following issues for oral argument, without intent to waive consideration of any issue not specifically listed.

1) Motivation to combine Peev and Spitballs.
2) Reasonable expectation of success in combining Peev and Spitballs.
3) Absence of objective indicia of nonobviousness satisfying the nexus requirements.
4) Simultaneous-invention evidence supporting obviousness.
5) Any motions to exclude evidence that are filed by the parties.
6) Any other issues raised by Patent Owner in a request for oral argument, motion to exclude, or any other paper filed by Patent Owner before oral argument.
7) Any other issues that the Board deems necessary for issuing a Final Written Decision, including any questions, rebuttals, or arguments that may arise during the oral argument.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Petitioners
405 Lexington Avenue
New York, NY 10174
(212) 336-8090

Dated: April 1, 2025
New York, New York

By: /*Kenneth P. George*/
Kenneth P. George
Registration No.: 30,259

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on April 1, 2025, a complete and entire copy of this PETITIONERS' REQUEST FOR ORAL ARGUMENT PURSUANT TO 37 C.F.R. § 42.70(a) was provided via email to the Patent Owner by serving the email correspondence addresses of record as follows.

Kenneth W. Darby
Jeffrey Shneidman
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402

Jennifer C. Bailey
Megan Redmond
ERISE, IP, P.A.
7015 College Boulevard, Suite 700
Overland Park, Kansas 66212

Email:
IPR50745-0005IP1@fr.com
PTABInbound@fr.com
Jennifer.bailey@eriseip.com
PTAB@eriseip.com
Megan.redmond@eriseip.com

Dated: April 1, 2025
New York, New York

By: /*Kenneth P. George*/
Kenneth P. George
Registration No.: 30,259
AMSTER, ROTHSTEIN &
EBENSTEIN LLP
405 Lexington Avenue
New York, NY 10174
(212) 336-8090