UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUUL LABS, INC.,

Petitioner,

v.

NJOY, LLC,

Patent Owner.

IPR2024-00161

Patent 10,334,881

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

Pursuant to 37 C.F.R. § 42.70(a) and the Board's May 29, 2024 Corrected Scheduling Order (Paper 11 at 11) (DUE DATE 4), Petitioner, JUUL Labs, Inc. respectfully requests an opportunity to present oral argument before the Board. Oral argument is presently scheduled for February 25, 2025 and Petitioner states its preference to have argument conducted in-person at the USPTO Regional Office in Denver, Colorado.

Issues that the Petitioner may present and address at the hearing include:

1. The unpatentability of all challenged claims based on the instituted grounds, including the appropriate claim construction of the material disputed terms;

2. Rebuttal to Patent Owner's presentation on all matters; and

3. Any other issues that the Board deems necessary for issuing a final written decision.

Petitioner requests a total of 75 minutes to present its cases in this matter and the related matter of IPR2024-00160, for which Petitioner is concurrently requesting oral argument, together. Petitioner is amenable to Patent Owner being allocated the same amount of time. Petitioner also requests that it be permitted to reserve time to present rebuttal argument, if necessary.

Petitioner and Patent Owner met and conferred on January 9, 2025 regarding their disagreements as to their respective requests for oral argument, but were unable

to come to an agreement. Petitioner offered to compromise at 60 minutes per side, but Patent Owner did not accept.

Should the hearing be conducted in person, Petitioner respectfully requests the ability to use audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen for a PowerPoint Display.

Dated: January 10, 2025

/s/ William A. Meunier

William A. Meunier (Reg. No. 41,193)
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111
Telephone: 617-542-6000
Facsimile: 617-542-2241
WAMeunier@mintz.com

CERTIFICATE OF SERVICE

I certify that a copy of Petitioner's Request for Oral Argument was served by electronic mail on the following counsel of record:

Anish R. Desai
Reg. No. 73,760
Paul, Weiss, Rifkind, Wharton & Garrison, LLP
1285 Avenue of the Americas
New York, NY 10019
adesai@paulweiss.com
T: 212-317-3000

Elizabeth S. Weiswasser
Reg. No. 55,721
Paul, Weiss, Rifkind, Wharton & Garrison, LLP
1285 Avenue of the Americas
New York, NY 10019
eweiswasser@paulweiss.com
T: 212-317-3000

W. Sutton Ansley
Reg. No. 67,828
Paul, Weiss, Rifkind, Wharton & Garrison, LLP
2001 K Street NW
Washington, DC 20006
sansley@paulweiss.com
T: 202-223-7300

Christopher M. Pepe
Reg. No. 73,851
Paul, Weiss, Rifkind, Wharton & Garrison, LLP
2001 K Street NW
Washington, DC 20006
cpepe@paulweiss.com
T:202-223-7300

Matthew D. Sieger
Reg. No. 76,051
Paul, Weiss, Rifkind, Wharton & Garrison, LLP
2001 K Street NW
Washington, DC 20006

msieger@paulweiss.com
T: 202-223-7300

Dated: January 10, 2025

/s/ William A. Meunier

William A. Meunier (Reg. No. 41,193)