UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

CARBYNE BIOMETRICS, LLC,
Patent Owner

Case No. IPR2024-00332
Patent No. 10,929,512

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(a) and the Board's July 16, 2024 Scheduling Order (Paper 11), Patent Owner, Carbyne Biometrics, LLC ("Patent Owner") respectfully request an oral argument in the present *inter partes* review. Oral argument is currently scheduled for April 16, 2025 as set forth in the Scheduling Order. Paper 11 at 11.

Patent Owner requests permission to remotely attend the oral argument hearing in this *inter partes* review.[1] If the hearing is in-person, Patent Owner anticipates that 5 or few individuals will attend the oral argument on its behalf. Patent Owner respectfully requests the ability to use audio/visual equipment to display demonstratives or exhibits at the oral hearing, to the extent available at the time of the hearing.

Patent Owner respectfully requests 45 minutes per side to present oral argument for this *inter partes* review. Patent Owner requests an opportunity to reserve sur-rebuttal time to respond to rebuttal arguments by Petitioner, and an opportunity to provide a closing statement. *See, e.g.*, *Mangrove Partners Master Fund., Ltd. et al. v. VirnetX Inc.*, IPR2015-01046/01047, Paper 60, 2 (PTAB June 2, 2016) ("Both parties may reserve some of their argument time for rebuttal, and

[1] Oral argument in IPR2024-00334 is also scheduled for April 16, 2024. Patent Owner requests 45 minutes per side for each of these proceedings.

Patent Owner will be afforded an opportunity to provide a closing statement along with any rebuttal.”).

Patent Owner requests, and without intent to waive consideration of any issue not requested, the opportunity to present oral argument on all issues raised in the Papers pertaining to the instituted grounds, including:

- any issue raised in any Paper of record in this proceeding;
- any issues raised by Petitioner in its request for oral argument;
- any issues raised by the Board during the argument or for which the Board seeks clarification; and
- any other issues the Board deems necessary for issuing a Final Written Decision.

Dated: March 4, 2025

Respectfully submitted,

/s/Richard A. Kamprath
Richard A. Kamprath
Reg. No. 65,320
rkamprath@mckoolsmith.com
McKool Smith, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Telephone: (214) 978-4000
Facsimile: (214) 978-4044

George Fishback
Reg. No. 76,345
gfishback@mckoolsmith.com
McKool Smith, P.C.
303 Colorado Street, Suite 2100
Austin, Texas 78701
Telephone: (512) 692-8700
Facsimile: (512) 692-8744

Attorney for Patent Owner,
Carbyne Biometrics, LLC

CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of this **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT** has been served on Petitioner via email on the following counsel of record for Petitioner:

David W. O'Brien
David.obrien.ipr@haynesboone.com

Kelly Gehrke Lyle
Kelly.lyle@haynesboone.com

Hong Shi
Hong.shi.ipr@haynesboone.com

Dated: March 4, 2025

Respectfully submitted,

/s/Richard A. Kamprath
Richard A. Kamprath
Reg. No. 65,320