

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner

v.

GRAPHITE CHARGING COMPANY, LLC,
Patent Owner

Case No. IPR2024-00387

U.S. Patent No. 8,103,391

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 Graphite Charging Company, LLC (“Patent Owner” or “Graphite”) 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 sets oral argument for May 6, 2025. (Paper No. 16 at 11.)

Patent Owner requests (without any intent to waive considerations of any issue not requested) to address the following issues at the oral hearing:

- Petitioner’s assertion that claims 1, 4-8, 11-15, and 18-20 are unpatentable under 35 U.S.C. § 103 as obvious over Kimura;
- Petitioner’s assertion that claims 2, 5, 9, 12, and 16 are unpatentable under 35 U.S.C. § 103 as obvious over Kimura in view of Hotta;
- Petitioner’s assertion that claims 3, 10 and 17 are unpatentable under 35 U.S.C. § 103 as obvious over Kimura in view of King;
- Petitioner’s assertion that claims 1, 2, 4-9, 11-16, and 18-20 are unpatentable under 35 U.S.C. § 102 as anticipated by Keith;
- Petitioner’s assertion that claims 3, and 8-19 are unpatentable under 35 U.S.C. § 103 as obvious over Keith;
- Petitioner’s assertion that claims 6 and 13 are unpatentable under 35 U.S.C. § 103 as obvious over Keith in view of Nor;
- Petitioner’s expert’s conflict of interest because of his connections with Tesla;

Patent Owner's Request for Oral Argument
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- Claim interpretations, level of skill in the art, and any other subsidiary issues relevant to the issues above;
- Any motions to exclude evidence filed by Patent Owner or Petitioner;
- Any issues specified by Petitioner in its request for oral argument or raised by Petitioner during oral argument; and
- Any other issues the Board deems necessary for issuing a final written decision.

Patent Owner respectfully requests that the Board schedule a video hearing for this proceeding.

Patent Owner will provide Petitioner and the Board with an electronic binder containing the demonstrative exhibits. Patent Owner requests that the Board grant each side 45 minutes of oral argument. Patent Owner requests the ability to reserve a portion of its total time for presenting sur-rebuttal arguments after Petitioner's rebuttal arguments.

This Request is timely, being filed on March 26, 2025. (*See* Paper 16 at 11.)

Patent Owner's Request for Oral Argument
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Respectfully submitted,

Dated: March 26, 2025

/Jason M. Shapiro/

Jason M. Shapiro

Reg. No. 35,354

DEVLIN LAW FIRM LLC

1526 Gilpin Ave.

Wilmington, DE 19806

Tel: (302) 449-9010

jshapiro@devlinlawfirm.com

Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that on March 26, 2025, pursuant to 37 C.F.R. § 42.6(e), a copy of **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT** was served via email (as consented to by counsel) to counsel of record for Petitioner as follows:

LEAD COUNSEL	BACKUP COUNSEL
Alexander B. Stein, Reg. No. 71,397 Alexander.stein@morganlewis.com	Paul Margulies, Reg. No. 59,580 pmargulies@tesla.com
Additional email for service: Tesla-Graphite391-IPR@morganlewis.com	

/Jason M. Shapiro/

Jason M. Shapiro
Reg. No. 35,354