Paper No. 36
Filed April 29, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FLUIDMASTER, INC.
Petitioner

v.

DANCO, INC.
Patent Owner

Case IPR2024-00634
Patent 9,103,105 B1

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board's Scheduling Order dated September 9, 2024 (Paper No. 22), Petitioner Fluidmaster Inc. ("Petitioner") requests oral argument in IPR2024-00634 to address the following issues:

1. All grounds on which trial was instituted, including all issues and evidence raised in the parties' briefing and supporting declarations and exhibits;
2. Any issues specified by Patent Owner in its request for oral argument;
3. Rebuttal to Patent Owner's presentation at the oral argument on all matters;
4. Any procedural and evidentiary issues raised by either party;
5. Any additional issue the parties raise or propose to raise in its presentation at or before the oral argument; and
6. Any additional issues on which the Board seeks information or clarification.

Petitioner notes that IPR 2024-00633 concerning U.S. Patent No. 9,139,993, IPR2024-00634 concerning U.S. Patent No. 9,103,105, and IPR2024-00635 concerning U.S. Patent No. 10,934,698 are closely related because all three patents share a common specification. Further, the date of oral argument in each proceeding is

currently set for June 10, 2025. *See* IPR2024-00633, Paper No. 33; IPR2024-00634, Paper No. 35; IPR2024-00635, Paper No. 33. However, it is presently unclear whether the Board intends to consolidate oral argument in these three proceedings. If oral argument is not presently consolidated, then Petitioner respectfully requests that a single, consolidated hearing be held in these three proceedings on June 10, 2025, as this would be the most efficient.

Petitioner further respectfully proposes that each party be given 60 minutes of argument time for the consolidated hearing, inclusive of any rebuttal time.

Petitioner also respectfully requests the ability to use audio-visual equipment to display demonstrative exhibits, including the use of a computer, a projector, a digital projector / document camera ("Elmo"), and a screen.

The parties have previously jointly indicated that they would prefer to hold oral argument in these proceedings at the USPTO headquarters in Alexandria, or in the alternative, by videoconference. IPR2024-00634, Paper No. 23. To the extent the Oral Argument is conducted by videoconference, Petitioner respectfully requests permission to file its demonstratives with the Board and to refer to its demonstratives during argument.

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Counsel for Petitioner Fluidmaster, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 29, 2025, a true copy of the foregoing **PETITIONER'S REQUEST FOR ORAL ARGUMENT** was served in its entirety via electronic mail on the following attorneys of record:

- Jason M. Perilla (Lead Counsel): j.perilla@pkhip.com
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Dated: April 29, 2025

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