

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

TOYOTA MOTOR CORP.,  
Petitioner,

v.

EMERGING AUTOMOTIVE LLC,  
Patent Owner.

---

Case IPR2024-00786  
U.S. Patent No. 9,171,268

---

**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to the Board's October 22, 2024, Scheduling Order (Paper 12), Patent Owner Emerging Automotive LLC respectfully requests oral argument, currently scheduled for August 8, 2025. Patent Owner requests one hour in which to present its arguments. Under 37 C.F.R. § 42.70, and without intending to waive any issue not specifically identified, Patent Owner specifies the following issues to be argued:

1. Whether claims 10, 11, 13, and 15-19 of U.S. Patent No. 9,171,268 (the "'268 patent") are patentable under 35 U.S.C. § 102 over Xiao and under § 103 over Xia and Hayashi;
  2. Whether claim 12 of the '268 patent is patentable under 35 U.S.C. § 103 over Xiao and Patenaude and under § 103 over Xiao, Hayashi, and Patenaude;
  3. Whether claim 14 of the '268 patent is patentable under 35 U.S.C. § 103 over Xiao and Singh and under § 103 over Xiao, Hayashi, and Singh;
  4. Whether claim 20 of the '268 patent is patentable under 35 U.S.C. § 103 over Xiao, Hayashi, and Patenaude;
  5. Any issues specified by Petitioner in its Request for Oral Argument;
- and

6. Any other issues the Board deems necessary for issuing a final written decision (e.g., any motion to exclude evidence and any motion to seal evidence).

Patent Owner requests that the hearing be a virtual hearing. As Patent Owner's client representative and certain counsel are located in California, Patent Owner further requests that, if possible, the hearing be scheduled for the afternoon, Eastern Time.

Dated: June 9, 2025

Respectfully submitted,

/Jerry D. Tice II/

Jerry D. Tice II

Reg. No. 73,582 (Lead counsel)

Aaron R. Hand

Reg. No. 80,694 (Back-up counsel)

Brenda Entzminger

Reg. No. 76,896 (Back-up counsel)

**BUNSOW DE MORY LLP**

701 El Camino Real

Redwood City, CA 94063

Telephone: 650-318-6774

Facsimile: 415-426-4744

[jtice@bdiplaw.com](mailto:jtice@bdiplaw.com)

[bentzminger@bdiplaw.com](mailto:bentzminger@bdiplaw.com)

*Counsel for Patent Owner*

### CERTIFICATE OF SERVICE

Petitioner has consented to e-mail service in this proceeding. Pursuant to 37 C.F.R. §42.6, the undersigned certifies that on June 9, 2025, a copy of the foregoing document was served by email upon the following counsel at the below email addresses:

Finnegan, Henderson, Farabow, Garrett & Dunner LLP  
Joshua L. Goldberg – [joshua.goldberg@finnegan.com](mailto:joshua.goldberg@finnegan.com)  
James R. Barney - [james.barney@finnegan.com](mailto:james.barney@finnegan.com)  
Aidan Skoyles - [aidan.skoyles@finnegan.com](mailto:aidan.skoyles@finnegan.com)  
Nicholas Eitsert - [nicholas.eitsert@finnegan.com](mailto:nicholas.eitsert@finnegan.com)  
Ryan Davies - [ryan.davies@finnegan.com](mailto:ryan.davies@finnegan.com)

Dated: June 9, 2025

/Jerry D. Tice II/

Jerry D. Tice II

Reg. No. 73,582 (Lead counsel)

Brenda Entzminger

Reg. No. 76,896 (Back-up counsel)

**BUNSOW DE MORY LLP**

701 El Camino Real

Redwood City, CA 94063

Telephone: 650-318-6774

Facsimile: 415-426-4744

[jtice@bdiplaw.com](mailto:jtice@bdiplaw.com)

[bentzminger@bdiplaw.com](mailto:bentzminger@bdiplaw.com)

*Counsel for Patent Owner*