

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners,

v.

EMPIRE TECHNOLOGY DEVELOPMENT LLC,
Patent Owner.

Case No. IPR2024-00896
U.S. Patent No. 8,798,120

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's Scheduling Order (Paper 21), Patent Owner Empire Technology Development LLC respectfully requests oral argument, currently scheduled on September 17, 2025. Pursuant to the notice of the United States Patent and Trademark Office (PTO) dated July 23, 2025, Patent Owner agrees that the oral argument in this proceeding be conducted in-person at the PTO headquarters in Alexandria, VA.

Patent Owner requests seventy-five (75) minutes to present its arguments. To the extent the Board schedules the hearing to last more or less than 150 minutes of total argument time, Patent Owner requests that it be given half of the time allotted for the hearing. Patent Owner requests an opportunity to reserve sur-rebuttal time and make sur-rebuttal arguments in response to rebuttal arguments by Petitioners.

Without waiving any issue not specifically identified, Patent Owner specifies at least the following issues for the argument:

- Issues related to the instituted grounds (*i.e.*, that claims 25, 27, and 28 would not have been obvious over Li in view of Siam, claims 25, 27, and 28 would not have been obvious over Li in view of Siam and Cui-2003, claim 26 would not have been obvious over Li in view of Siam and Wu, claim 26 would not have been obvious over Li in view of Siam, Cui-2003, and Wu, and claim 29 would not have been obvious over Li in view of Siam and Tirola), including, for example, whether the

references cited in the instituted grounds fail to disclose the limitation “wherein the control signal is based, at least in part, on an idle power consumption of the mobile station,” whether the references cited in the instituted grounds fail to disclose the limitation “wherein the control signal is based, at least in part, on a number of users of the communications system,” the lack of a motivation to combine, and the lack of a reasonable expectation of success;

- The construction of certain claim terms including the limitation “wherein the control signal is based, at least in part, on an idle power consumption of the mobile station”;
- To respond to any issues specified by Petitioners in its request for oral argument or otherwise presented by Petitioners;
- The timeliness of the arguments raised by Petitioners in the proceedings;
- Any other relevant issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed; and
- Any other issues that the Board deems necessary for issuing a Final Written Decision, including any questions, rebuttals, or arguments that may arise during the oral argument.

IPR2024-00896 (U.S. Patent No. 8,798,120)
Patent Owner's Request for Oral Argument

Patent Owner also requests the ability to use a computer, projector, and screen to display possible demonstratives and exhibits.

Dated: August 1, 2025

Respectfully submitted,

/s/ Nathaniel Browand

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that Patent Owner's Request for Oral Argument was served on August 1, 2025, by filing it through the P-TACTS System, as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioners:

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Dated: August 1, 2025

Respectfully submitted,

/s/ Nathaniel Browand
Nathaniel Browand