

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORP. AND KIA CORPORATION,
Petitioners,

v.

EMERGING AUTOMOTIVE LLC,
Patent Owner.

Case IPR2024-00981
U.S. Patent No. 9,365,188

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to the Board's December 18, 2024, Scheduling Order (Paper 11), Patent Owner Emerging Automotive LLC respectfully requests oral argument, currently scheduled for September 19, 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 1-9 and 11-20 of U.S. Patent No. 9,365,188 (the "'188 patent") are patentable under 35 U.S.C. § 103 over Kleve;
2. Whether claims 1-9 and 11-20 of the '188 patent are patentable under 35 U.S.C. § 103 over Kleve and Sekiyama;
3. Whether claim 10 of the '188 patent is patentable under 35 U.S.C. § 103 over Kleve, Mottla, and Sekiyama;
4. Whether claims 1, 3, 5-7, 9, 11-16, and 18-20 of the '188 patent are patentable under 35 U.S.C. § 103 over Zaid and Harris;
5. Whether claims 2, 4, 8, and 10 of the '188 patent are patentable under 35 U.S.C. § 103 over Zaid, Harris, and Mottla;
6. Whether claim 17 of the '188 patent is patentable under 35 U.S.C. § 103 over Zaid, Harris, and Patenaude;
7. Whether claim 17 of the '188 patent is patentable under 35 U.S.C. § 103 over Kleve and Patenaude;

8. Any issues specified by Petitioners in their Request for Oral Argument;
and
9. 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).

Pursuant to the Board's July 24, 2025, email to the parties, Patent Owner is currently unaware of any good cause that exists to appear virtually.

Dated: August 8, 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

bentzminger@bdiplaw.com

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Petitioners have consented to e-mail service in this proceeding. Pursuant to 37 C.F.R. §42.6, the undersigned certifies that on August 8, 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
James R. Barney - james.barney@finnegan.com
Aidan Skoyles - aidan.skoyles@finnegan.com
Nicholas Eitsert - nicholas.eitsert@finnegan.com

QUINN EMANUEL URQUHART & SULLIVAN, LLP
James M. Glass – jimglass@quinnemanuel.com
Quincy Lu - quincylu@quinnemanuel.com
Jeffrey S. Gerchick - jeffgerchick@quinnemanuel.com
Brett Watkins - brettwatkins@quinnemanuel.com

Dated: August 8, 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

bentzminger@bdiplaw.com

Counsel for Patent Owner