

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EMBODY, INC. AND ZIMMER BIOMET HOLDINGS, INC.,
Petitioners

v.

LIFENET HEALTH,
Patent-Owner.

Case IPR2025-00249
U.S. Patent No. 11,318,227

PETITIONERS' REQUEST FOR ORAL ARGUMENT

Filed on behalf of Petitioners

Pursuant to 37 C.F.R. § 42.70 and the Board’s Scheduling Order dated August 5, 2026 (Paper 14), Petitioners Embody, Inc. and Zimmer Biomet Holdings, Inc. respectfully request oral argument, which is currently scheduled for May 6, 2026. (*Id.*) Petitioners seek to present argument on the following issues:

- Grounds for which *inter partes* review was instituted for U.S. Patent No. 11,318,227 (“the ’227 patent”) and any issues raised in the Board’s Institution Decision dated August 5, 2025 (Paper 13);
- Any issues addressed by Petitioners, including those raised in the Petition for *Inter Partes* Review (Paper 2), Petitioners’ Reply (Paper 26), and any related exhibits, including issues relating to whether claims 1–8 of the ’227 patent are unpatentable for anticipation and/or obviousness;
- Any issues raised by Patent Owner, including those raised in Patent Owner’s Response (Paper 23), Patent Owner’s Sur-Reply (Paper 29), and any related exhibits, including Patent Owner’s new claim construction raised by Patent Owner after institution, and any change of position by Patent Owner as to that claim construction;
- Rebuttal to any issue raised by Patent Owner;
- Any issues identified by Patent Owner in its Request for Oral Argument;

- Any issues raised by Patent Owner in any paper identifying allegedly improper reply arguments and evidence (*see* Paper 27), and any issues raised by Petitioners in response (*see* Paper 28);
- Any issues raised in any motion to exclude or any other motion or paper filed in this proceeding;
- Any other issues raised in papers filed in this proceeding or on which the Board Seeks information or clarification.

Petitioners request that the Board conduct a consolidated oral argument for this IPR and IPR2025-00248, and that in the consolidated oral argument, each side have ninety (90) minutes, including time for rebuttal. To the extent the Board schedules a different amount of time, Petitioners request an amount of time equal to that granted to Patent Owner. Petitioners further request that oral argument be conducted in-person at the USPTO headquarters in Alexandria, VA, subject to the Board's guidance.

Petitioners respectfully request that counsel be permitted to use laptops in the hearing room and at counsel table. Petitioners also respectfully request the ability to use audio-visual equipment to display demonstrative exhibits, including the use of a computer-connectable projector and screen for PowerPoint display.

Case IPR2025-00249

Patent 11,318,227

Respectfully submitted,

Dated: March 25, 2026

By: /Howard W. Levine/

Howard W. Levine (Reg. No. 41,453)

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2026, I caused a true and correct copy of the forgoing Petitioners' Request for Oral Argument to be served via electronic upon to the Patent-Owner's counsel of record at the following addresses:

Amanda F. Wieker – awieker@mcguirewoods.com

George B. Davis – gdavis@mcguirewoods.com

Tyler T. VanHoutan - tvanhoutan@mcguirewoods.com

Respectfully submitted,

By: /Howard Levine/
Howard Levine (Reg. No. 41,453)

Counsel for Petitioners