

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLLEGE PRODUCTS, INC.,

Petitioner,

v.

INTIRION CORPORATION,

Patent Owner.

Case No. PGR2024-00004

Patent No. 11,674,746

**PATENT OWNER INTIRION CORPORATION'S REQUET FOR ORAL
ARGUMENT**

Pursuant to 37 C.F.R. §42.70(a) and the Board’s Scheduling Order (Paper 11), Patent Owner respectfully requests oral argument in this PGR proceeding, PGR2024-00004.

Oral argument is currently scheduled for January 9, 2025. Paper 11 at 11. Patent Owner agrees with Petitioner that PGR2024-00003 involves the same parties and a related patent and is also currently scheduled for oral argument on January 9, 2025. Patent Owner agrees with Petitioner that this PR proceeding should be consolidated with the oral argument in PGR2024-00003, but requests 45 minutes of argument time for each side, for a total of 90 minutes in the consolidated hearing.

If the Board denies the parties’ request to consolidate, Patent Owner requests 30 minutes of argument for each side in this PGR proceeding, for a total hearing time of 60 minutes.

Patent Owner Requests the following issues be argued:

1. Whether claims 1-3, 5-6, 8-11, 13-17 and 20-24 of U.S. Patent No. 11,674,746 (“the ’746 Patent”) are patentable over Emma combined with Smith;
2. Whether claims 1-3, 5-6, 8-11, 13-17 and 20-24 of the ’746 Patent are patentable over Emma combined with Butt;
3. Whether claims 1-3, 5-6, 8-11, 13-17 and 20-24 of the ’746 Patent are patentable over Emma combined with Butt and Smith;

4. Whether claims 4, 7, 8, 12, 18 and 19 of the '746 Patent are patentable over Emma combined with Smith and further combined with the knowledge of a POSITA

5. Whether claims 4, 7, 8, 12, 18 and 19 of the '746 Patent are patentable over Emma combined with Smith and further combined with Quezada;

6. Whether Petitioner has waived its indefiniteness grounds;

7. Whether claims 1-24 are valid under 35 U.S.C. §112(b);

8. Whether claims 10 and 14 are valid under 35 U.S.C. §112(a) and (b);

9. Whether the Board's construction of "level of smoke" and "amount of smoke" is definite;

10. Any issues specified by the Petitioner in its Request for Oral Argument;
and

11. Any other issues the Board deems necessary for issuing final written decision.

Patent Owner requests that the hearing be conducted in-person at the USPTO Offices in Denver, Colorado. See Paper 11 at 6. Patent Owner also requests the ability to use audio-visual equipment to display demonstrative exhibits and evidence of record, including the use of a projector and a screen for displaying documents and PowerPoint slides.

Dated: November 19, 2024

/R. Scott Johnson/

R. Scott Johnson

Reg. No. 45,792

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Per agreement of the parties and pursuant to 37 C.F.R. § 42.105(b), the undersigned certifies that a copy of this Patent Owner's Request for Oral Argument was served on December 3, 2024, by email on the following:

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Dated: December 3, 2024

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