

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THERABODY, INC.,

Petitioner

v.

HYPERICE IP SUBCO, LLC,

Patent Owner.

Case No.: PGR2025-00013

U.S. Patent No. 11,938,082

REQUEST FOR ORAL ARGUMENT

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

The Board has scheduled oral argument in this proceeding for January 21, 2026¹. Hyperice IP Subco, LLC (“Patent Owner”) requests oral argument be held in person at the U.S. Patent and Trademark headquarters in Alexandria, Virginia.

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner requests oral argument on all instituted grounds of unpatentability for claims 1-16 and 18² of U.S. Patent No. 11,938,082 and any other issues that may affect the Board’s determination in this proceeding. Patent Owner also requests hearing on any issues specified by Petitioner in its request for oral argument and any issues that the Board deems necessary for issuing a final written decision.

Additionally, this proceeding is running in parallel with PGR2024-00053 (U.S. Patent No. 11,857,482). Having met and conferred with counsel for Petitioner, the parties jointly request a consolidated hearing for the instant proceeding and co-pending proceeding PGR2024-00053 (U.S. Patent No. 11,857,482).

To the extent the Board agrees to consolidate the hearings, Patent Owner requests that it and Petitioner each be allotted 75 minutes of argument time,

¹ The Parties have jointly requested a two-week extension to certain deadlines, including the date of oral argument.

² Patent Owner has disclaimed claim 17. (Ex. 2004).

including time for rebuttal (150 minutes of total argument). To the extent the Board schedules a different amount of time, Patent Owner requests an amount of time equal to that granted to Petitioner.

Dated: December 10, 2025,

Respectfully submitted,

/Kyle W. Kellar/

Kyle W. Kellar (Reg. No. 71,165)
Kyle.Kellar@wbd-us.com
WOMBLE BOND DICKINSON (US) LLP
655 N. Central Ave., Suite 2300
Glendale, CA 91203-1445

Siho “Scott” Yoo (Reg. No. 78,634)
Siho.Yoo@wbd-us.com
WOMBLE BOND DICKINSON (US) LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085

John H. Wright, III (Reg. No. 80,505)
John.Wright@wbd-us.com
WOMBLE BOND DICKINSON (US) LLP
555 Fayetteville Street, Suite 1100
Raleigh, NC 27601

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies the foregoing document with any attachments was served by electronic mail upon the following:

Marc Pensabene
Brad Berg
Brett Williamson
O'MELVENY & MYERS LLP
mpensabene@omm.com
bmberg@omm.com
bwilliamson@omm.com

Attorneys for Petitioner

Dated: December 10, 2025

/Kyle W. Kellar/
Kyle W. Keller