

Filed on behalf of: Google Inc.

By:
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Google Inc.
Petitioner,
v.
Network-1 Technologies, Inc.,
Patent Owner.

Case IPR2015-00348
U.S. Patent 8,656,441

GOOGLE'S REQUEST FOR ORAL ARGUMENT

Petitioner Google Inc. (“Google”) requests oral argument under 37 C.F.R. § 42.70(a) and the Board’s June 23, 2015 Scheduling Order (Paper 7). Oral argument is scheduled for March 9, 2016. (Paper 7, at 5.)

Google specifies the following issues to be argued based on all admissible evidence of record (including expert testimony):

1. The proper interpretation of the Board’s claim construction of “neighbor search”;
2. Whether claims 1-3, 6, 8-14, 19, 21-26, and 30 of U.S. Patent No. 8,656,441 (the “’441 patent”) are unpatentable under 35 U.S.C. § 102 as anticipated by Conwell (Ex. 1009, U.S. Patent No. 6,970,886);
3. Whether claims 1-3, 8, 10-14, 18-19, 21-27, and 29-30 of the ’441 patent are unpatentable under 35 U.S.C. § 103 as obvious over Ghias (Ex. 1010, U.S. Patent No. 5,874,686) and Philyaw (Ex. 1014, U.S. Patent No. 6,098,106); and
4. All other issues briefed with respect to the instituted grounds of unpatentability of the ’441 patent.

In light of the substantial overlap of prior art references and issues between proceedings IPR2015-00343, IPR2015-00345, IPR2015-00347, and IPR2015-00348, Google requests a single consolidated hearing for the four proceedings. The parties have met and conferred on this issue, and Google understands that Patent

Owner Network-1 Technologies, Inc. agrees to a single consolidated hearing. However, the parties do not agree on the time that should be allotted for argument. Based on the limited number of issues and references that remain in dispute between the parties, Google requests that the Board allot each party 30 minutes of argument covering all four proceedings.

The parties have also met and conferred regarding the exchange of demonstratives, and have agreed to exchange such materials on February 24. The parties will file demonstratives and objections with the Board pursuant to the Board's instructions in its order setting the oral argument.

Google requests the use of a projector capable of displaying PowerPoint slides.

Respectfully Submitted,

Date: February 1, 2016

/s/ James J. Elacqua
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§ 42.6(e) - CERTIFICATION OF SERVICE

The undersigned certifies service pursuant to 37 C.F.R. §§ 42.6(e) and 42.105 on the Patent Owner of a copy of this GOOGLE'S REQUEST FOR ORAL ARGUMENT by email at the corresponding address of record for Patent Owner's counsel in IPR2015-00348:

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Dated: February 1, 2016

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