

Filed on behalf of NETWORK-1 TECHNOLOGIES, INC.

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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
Patent 8,656,441

NETWORK-1'S REQUEST FOR ORAL ARGUMENT

Pursuant to:

- (a) the Board's Scheduling Order, dated June 23, 2015 (Paper 7);
- (b) the Board's Order – Conduct of the Proceeding, dated July 27, 2015 (Paper 13); and
- (c) 37 C.F.R. § 42.70(a),

Patent Owner Network-1 Technologies, Inc. respectfully requests oral argument, currently scheduled for March 9, 2016.

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner specifies, without waiving any issues not requested, the following issues to be argued:

1. Rebuttal of each ground of unpatentability on which trial was instituted for Claims 1–3, 6, 8–14, 18, 19, 21–27, 29, and 30 of the '441 patent including the following issues:

Ground 1: Does Conwell disclose the claimed:

- a) “neighbor search,” and
- b) “non-exhaustive...search,”

in the context of the '441 Patent;

Ground 2: Does Ghias disclose the claimed:

- a) “non-exhaustive search,” and
- b) “neighbor search,”

in the context of the ‘179 Patent;

2. Are Claims 1–3, 8, 10–14, 18, 19, 21–27, 29, and 30 of the ‘441 Patent obvious over Ghias and Philyaw?
3. The proper constructions and interpretations of the terms and phrases identified in (1) above.
4. Whether the Board should consider Petitioner’s theories presented for the first time in its Reply.
5. Any issues raised in the Petition for *Inter Partes* Review (Paper 2) relating to the grounds on which the Board instituted *inter partes* review, and all exhibits cited by Petitioner.
6. Any issues raised by Patent Owner’s Response (Paper 17), Declaration of Dr. George Karypis (Ex. 2005), Petitioner’s Reply to Patent Owner’s Response (Paper 20), and all supporting exhibits cited by Petitioner and Patent Owner.
7. Any issues raised by Petitioner in its Request for Oral Argument (Paper 21).
8. Any issues raised by Petitioner in any filings contemporaneous with or subsequent to this Request.
9. Any issues for which the Board seeks clarification.

In the interest of efficiency, Patent Owner respectfully requests that the Board hold a consolidated hearing on the four related IPRs—IPR2015-00343, IPR2015-00345, IPR2015-00347, and IPR2015-00348—which involve patents in the same family and certain overlapping prior art and issues. The parties have met and conferred on this issue, and Patent Owner understands that Petitioner agrees to a single consolidated hearing. The parties, however, do not agree on the time that should be allotted for argument.

The Board “indicated that the total time devoted to the Oral Hearing, if requested, would be dependent on the number of issues in the proceedings, as briefed in Patent Owner’s Response and Petitioner’s Reply.” Order – Conduct of the Proceeding dated July 27, 2015 (Paper 13). Based on the large number of issues remaining in the four IPR proceedings, as briefed in Patent Owner’s four Responses and Petitioner’s four Replies, Patent Owner respectfully requests 120 minutes (per side) to present its arguments and rebut Petitioner’s arguments.

Patent Owner also requests the ability to use audio visual equipment to display demonstrative exhibits, including the use of a projector and screen for displaying demonstrative exhibits (*e.g.*, PowerPoint slides).

Respectfully submitted,

Date: February 3, 2016

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **NETWORK-1'S REQUEST FOR ORAL ARGUMENT** is being served by electronic mail this 3rd day of February 2016 on counsel for Petitioner as follows:

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