UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTIVISION BLIZZARD, INC., ELECTRONIC ARTS INC., TAKE-TWO INTERACTIVE SOFTWARE, INC., 2K SPORTS, INC., and ROCKSTAR GAMES, INC., Petitioner,

v.

ACCELERATION BAY, LLC, Patent Owner.

Case IPR2016-00747 Patent No. 6,732,147 B1

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

## Patent Owner's Request for Oral Argument IPR2016-00747 (U.S. Patent No. 6,732,147 B1)

Pursuant to 37 C.F.R. § 42.70(a) and the Board's September 12, 2016 Scheduling Order (Paper No. 13), Acceleration Bay, LLC ("Patent Owner") requests an opportunity to present oral argument regarding the patentability of claims 6-10 ("Instituted Claims") of U.S. Patent No. 6,732,147 B1 ("the '147 Patent"). The oral argument is scheduled to be held on May 17, 2017. Paper No. 13 at 7. Without waiving consideration of any issue not identified below, Patent Owner requests one hour to address the following issues:

- Whether Petitioner has met its burden of proving that Instituted Claims 6-10 are unpatentable as obvious over the combination of Shoubridge, Denes, Rufino, and Todd;
- 2. Secondary considerations of non-obviousness;
- 3. Patent Owner's and Petitioner's Motion to Exclude Evidence, if any;
- 4. Rebuttal of any arguments made by Petitioner;
- 5. Any additional issues on which the Board seeks clarification; and
- Response to any issues Petitioner raises in its Request for Oral Argument.

Patent Owner respectfully reserves the right to supplement and/or amend the foregoing statement of issues to the extent the Rules permit.

At oral argument, Patent Owner requests the use of audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen. Patent Owner's Request for Oral Argument IPR2016-00747 (U.S. Patent No. 6,732,147 B1)

Respectfully submitted,

Dated: April 10, 2017 /James Hannah/ James Hannah (Reg. No. 56,369) jhannah@kramerlevin.com Michael Lee (Reg. No. 63,941) mhlee@kramerlevin.com Kramer Levin Naftalis & Frankel LLP 990 Marsh Road Menlo Park, CA 94025 Tel: 650.752.1700 Fax: 650.752.1800 Shannon Hedvat (Reg. No. 68,417) shedvat@kramerlevin.com Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, NY 10036 Tel: 212.715.9185 Fax: 212.715.8385 Case No. IPR2016-00747 Attorneys for Patent Owner

## **CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that a true and

correct copy of the foregoing Patent Owner's Request for Oral Argument was

served on April 10, 2017, by filing this document through the Patent Review

Processing System as well as delivering via electronic mail upon the following

counsel of record for Petitioner:

Andrew R. Sommer WINSTON & STRAWN LLP 1700 K Street, N.W. Washington, D.C. 20006-3817 asommer@winston.com

Michael M. Murray WINSTON & STRAWN LLP 200 Park Avenue New York, NY 10166-4193 mmurray@winston.com Kathleen B. Barry WINSTON & STRAWN LLP 35 W. Wacker Dr. Chicago, IL 60601 kbarry@winston.com

Michael A. Tomasulo David K. Lin WINSTON & STRAWN LLP 333 S. Grand Avenue, 38th Floor Los Angeles, CA 90071-1543 mtomasulo@winston.com dlin@winston.com

/James Hannah/ James Hannah (Reg. No. 56,369) Kramer Levin Naftalis & Frankel LLP 990 Marsh Road, Menlo Park, CA 94025 (650) 752-1700