IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NETFLIX, INC.

Petitioner,

v.

REALTIME ADAPTIVE STREAMING, LLC,

Patent Owner.

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Case No. IPR2018-01187

U.S. Patent 9,769,477

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PETITIONER'S REQUEST FOR ORAL HEARING
37 C.F.R. § 42.70

Pursuant to the Board's February 4, 2019 Scheduling Order (Paper 23), 37 C.F.R. § 42.70(a), and 35 U.S.C. § 316(a)(10), Petitioner respectfully requests oral argument on October 15, 2019.

Consolidation of Oral Argument with IPR2018-01630

This proceeding and IPR2018-01630 both challenge claims of the '477 patent and rely on substantially the same prior art. The claims at issue in the 1630 IPR are all claims that depend from independent claims 1 and 20 that are at issue in this proceeding. In view of the overlap between the proceedings, Petitioner submits that a consolidated oral argument with each side granted 75 minutes of argument time is appropriate. The parties have met and conferred and Patent Owner does not object to consolidated oral argument or the proposed time allocation.

Request for Oral Argument

Petitioner requests (without any intent to waive consideration of any issue not requested) one hour for the Petitioner to address the following issues at the oral hearing:

- Ground 1: Claims 1, 3-5, and 12-14 are obvious in view of Imai (Ex. 1005);
- Ground 2: Claims 1, 3-6, and 9-14 are obvious in view of Pauls (Ex. 1007);

- Ground 3: Claims 1, 3-6, and 9-14 are obvious in view of Imai (Ex. 1005) and Pauls (Ex. 1007); and
- Ground 4: Claims 2, 11, 20-22, and 25-27 are rendered obvious by Imai (Ex. 1005) in view of Pauls (Ex. 1007) and Chao (Ex. 1016).

Petitioner requests the ability to reserve a portion of its total time for presenting rebuttal arguments after Patent Owner's presentation. Petitioner additionally requests that the Board provide audio-visual equipment to display demonstrative exhibits, including a projector to be connected to a laptop, and a document camera for displaying documents of record. In accordance with the Trial Practice Guide, Fed. Reg. Vol. 77, No. 157, at 48768, Petitioner will contact the Board Trial Division paralegal to discuss this request.

In the event that the Board sets a consolidated oral argument, Petitioner requests 75 minutes of total time to address the issues identified in this request for oral argument along with the issues identified in the request for oral argument that is being separately filed in IPR2018-01630.

This Request is timely, being filed on August 22, 2019.

Date: August 22, 2019

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

/Harper Batts/
Harper Batts (Reg. No. 56,160)
Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 22, 2019, a complete copy of Petitioner's Request for Oral Hearing was served via email to all parties to this proceeding at the addresses indicated:

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Date: August 22, 2019