

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD AND
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners,

v.

CELLECT LLC,
Patent Owner.

Case IPR2020-00512
U.S. Patent No. 9,186,052

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's August 18, 2020, Scheduling Order (Paper No. 16), Patent Owner, Collect, LLC ("Patent Owner"), requests the opportunity to present oral argument in this matter. The oral argument is scheduled to be held on May 26, 2021. Paper 16 at 11.

Patent Owner further notes that it is requesting oral arguments in a related action (IPR2020-00475, also concerning U.S. Pat. No. 9,186,052 ("052 Patent")) pursuant to 37 C.F.R. § 42.70(a) and the Board's August 18, 2020, Scheduling Order (Paper No. 16) in IPR2020-00475. The oral argument in IPR2020-00475 is also scheduled to be held on May 26, 2021. Paper 16 at 11.

Patent Owner believes a consolidated hearing will be more efficient for the Board and the parties. Because the consolidated hearing will involve detailed discussions of seven different references, Patent Owner requests that each side be allocated ninety (90) minutes, which includes up to fifteen (15) minutes for sur-rebuttal. Without waiving consideration of any issue not identified below, the consolidated hearing will address the following issues¹:

1. Whether Petitioner has met its burden of proving that Claim 1 of the '052

Patent is unpatentable as obvious over:

- a. the combination of Wakabayashi and Ackland, or

¹ A corresponding request for a consolidated hearing is being filed in Patent Owner's request for oral argument in IPR2020-00475.

- b. the combination of Wakabayashi, Ackland and Suzuki;
- 2. Whether Petitioner has met its burden of proving that Claims 3 and 7 of the '052 Patent are unpatentable as obvious over the combination of Wakabayashi, Ricquier and Dierickx;
- 3. Whether Petitioner has met its burden of proving that Claim 2 of the '052 Patent is unpatentable as obvious over:
 - a. the combination of Swift, Ricquier and Suzuki, or
 - b. the combination of Swift, Ricquier, Suzuki and Larson;
- 4. Secondary considerations of non-obviousness;
- 5. Patent Owner's and Petitioner's Motion to Exclude Evidence, if any;
- 6. Rebuttal of any arguments made by Petitioner;
- 7. Any additional issues on which the Board seeks clarification; and
- 8. 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.

Petitioner is the party with the burden of proof and will present first at the oral hearing. Patent Owner will address any issues raised by Petitioner, or questions raised by the Board during presentation.

Patent Owner understands it is likely that oral argument will be conducted remotely by video or telephone in view of the ongoing COVID-19 coronavirus

Patent Owner's Request for Oral Argument
IPR2020-00512 (U.S. Patent No. 9,186,052)

pandemic. In the event that oral argument is conducted in-person, Patent Owner requests the use of audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen.

Respectfully submitted,

Dated: April 5, 2021

/Jonathan S. Caplan/

Jonathan S. Caplan (Reg. No. 38,094)
Jeffrey H. Price (Reg. No. 69,141)
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036
Tel: 212.715.7502 Fax: 212.715.8302

James Hannah (Reg. No. 56,369)
Kramer Levin Naftalis & Frankel LLP
990 Marsh Road
Menlo Park, CA 94025
Tel: 650.752.1700 Fax: 212.715.8000

(Case No. IPR2020-00512)

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Petitioner as detailed below.

<i>Date of Service</i>	April 5, 2021
<i>Manner of Service</i>	Electronic Mail (scott.mckeown@ropesgray.com, james.l.davis@ropesgray.com, carolyn.redding@ropesgray.com, samsung-cellect-ipr@ropesgray.com,)
<i>Documents Served</i>	PATENT OWNER'S REQUEST FOR ORAL ARGUMENT
<i>Persons Served</i>	Scott A. McKeown James L. Davis, Jr. Carolyn Redding

/Jonathan S. Caplan/
Jonathan S. Caplan
Registration No. 38,094
Lead Counsel for Patent Owner