

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.,
Petitioner,

v.

AVAGO TECHNOLOGIES INTERNATIONAL SALES PTE. LIMITED,
Patent Owner.

Inter Partes Review No. IPR2020-01582

U.S. Patent No. 8,572,138 B2

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT
37 C.F.R § 42.70

Pursuant to 37 C.F.R. § 42.70(a), 35 U.S.C. § 316(a)(1), and the Board's March 15, 2021, Scheduling Order (Paper 10), Patent Owner Avago Technologies International Sales Pte. Limited hereby respectfully requests oral argument in this proceeding. Under the Scheduling Order, oral argument is currently scheduled for January 5, 2022.

Request for Oral Argument

Patent Owner requests (without any intent to waive consideration of any issue not requested) to address the following issues at the oral argument:

- Issues related to the instituted grounds: Ground 1 (Claims 1-5, 9, 19-21, and 26 are not rendered obvious by Khandekar); Ground 2 (Claims 1-5, 9, 19-21, and 26 are not rendered obvious by Khandekar in view of Le); Ground 3 (Claims 9 and 10 are not rendered obvious by Khandekar in view of Le and Sidebottom); and Ground 4 (Claim 17 is not rendered obvious by Khandekar in view of Le and Stone), including any other relevant issues, for example, claim construction, anticipation, obviousness, motivation to combine, and reasonable expectation of success;
- Any other relevant issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed; and

- Any other issues that the board deems necessary for issuing a Final Written Decision, including any questions, rebuttals, or arguments that may arise during the oral argument.

Patent Owner requests that the Board grant each side 60 minutes of oral argument as the parties agree that 60 minutes per side is appropriate for this proceeding. Patent Owner also requests the ability to reserve a portion of its total time for presenting sur-rebuttal arguments after Petitioner's rebuttal.

In light of the Board's guidance of March 13, 2020, stating that PTAB hearings will be conducted remotely "[u]ntil further notice," Patent Owner requests that the Board provide the capability to display demonstrative exhibits during the remote hearing and for displaying documents of record. In accordance with the Patent Trial and Appeal Board Consolidated Trial Practice Guide, November 2019, at p. 83, Patent Owner will contact the Board Trial Division paralegal to discuss this request. Should the current restrictions be lifted by the date of oral argument, and the Board order an in-person hearing, Patent Owner requests the ability to use a computer, projector, and screen to display demonstrative exhibits and documents of record.

Dated: October 29, 2021

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned hereby certifies that a copy of the foregoing **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT 37 C.F.R § 42.70** was filed through the Patent Trial and Appeal Board End to End (PTAB E2E) electronic filing system on October 29, 2021, with confirmation copy served via electronic mail, on the following counsel of record for Petitioner:

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