

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,
Petitioner,

v.

DigiMedia Tech, LLC,
Patent Owner.

Case IPR2022-01182
Patent 6,473,532

PATENT OWNER'S STATEMENT ON ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Scheduling Order (Paper 8), and in partial response to Petitioner’s Request for Oral Argument (Paper 16), Patent Owner DigiMedia Tech, LLC (DigiMedia) submits this statement regarding oral argument.

First, DigiMedia does *not* request oral argument in this proceeding. DigiMedia believes the existing record is sufficient for the Board to issue a Final Written Decision.

However, if the Board orders an oral argument in view of Petitioner’s Request, then DigiMedia states the following about that oral argument:

1. DigiMedia identifies the same issues as Petitioner’s Request. See Paper 16, 1.
2. DigiMedia contends that only thirty minutes per side—sixty minutes total—is sufficient for the parties to address the issues the Board must decide here. Although the Board “ordinarily provide[s] ... an hour of argument per side,”¹ the circumstances of this proceeding suggest less time is needed. There are only two challenged claims at issue, and the briefing is succinct and limited.

¹ Patent Trial and Appeal Board Consolidated Trial Practice Guide, November 2019 at 81; PTAB Oral Hearing Guide, August 2023 at 9–10.

3. DigiMedia prefers that any oral hearing take place virtually by videoconference, rather than an in-person hearing. To the extent that the Board desires an in-person hearing, then DigiMedia does not oppose Petitioner's request that such in-person hearing take place at the USPTO headquarters in Alexandria.²

Respectfully submitted,

/Warren Thomas/

Warren J. Thomas (Reg. No. 70,581)

² In that case, DigiMedia concurs in Petitioner's request that the parties be able to use audio/visual equipment to display demonstratives and portions of the record, and that both parties' attorneys be allowed to use computers at counsel's tables.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e)(4) and consent of the Petitioner, I certify that on September 8, 2023, a copy of Patent Owner's Statement on Oral Argument was served on the counsel of record by email to:

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