

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.
Petitioner,

v.

AFFINITY LABS OF TEXAS, LLC,
Patent Owner

Case IPR2017-00122
Patent 9,444,868 B2

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's April 26, 2017 Scheduling Order (Paper 11), Netflix hereby requests an oral argument on the issues set forth below at a time set by the Board. Oral argument is presently scheduled for December 21, 2017. In IPR no. IPR2016-01701, the Board has set a hearing to commence at 2:00 PM Eastern Time on November 30, 2017. That trial involves the same parties and patents in the same family with the same specification, and some of the same prior art references. Both of these trials are in front of the same panel of Administrative Patent Judges, KEVIN F. TURNER, LYNNE E. PETTIGREW, and JON B. TORNQUIST. For efficiency, Petitioner, Netflix and Patent Owner, Affinity Labs, have jointly requested a telephonic conference to request the Board to move the hearing in the IPR2016-01701 case to occur the same day as that of this case, currently on December 21, 2017.

Petitioner respectfully requests 45 minutes of argument time in which Petitioner may present its arguments.

Petitioner requests that the Board provide audio/visual equipment to display demonstrative exhibits and evidence of record, including the use of a projector and screen for displaying documents.

Petitioner requests oral argument on all issues raised in the parties' filings, including but not limited to the following:

(1) Whether claims 1–12, 14, 15, and 17–20 are unpatentable under 35 U.S.C. § 103 as having been obvious over Treyz and Fuller;

(2) Whether claims 13 and 16 are unpatentable under 35 U.S.C. § 103 as having been obvious over Treyz, Fuller, and Glaser; and

(3) Rebuttal to Patent Owner’s presentation on all matters.

Respectfully submitted,

Date: November 14, 2017

By: *Hector J. Ribera*

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CERTIFICATE OF SERVICE PURSUANT TO
37 C.F.R. § 42.6

Pursuant to 37 CFR § 42.6(e)(4) the undersigned certifies that on November 14, 2017, a complete and entire copy of this Petitioner's Request for Oral Argument was provided via electronic mail, to the Patent Owner by serving the e-mail addresses of record as follows:

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Date: November 14, 2017

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