

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., INSTAGRAM, LLC and WHATSAPP INC.,
Petitioners

v.

BLACKBERRY LIMITED,
Patent Owner

Case No. IPR2019-00706
U.S. Patent No. 9,349,120 B2

PETITIONERS' REQUEST FOR ORAL HEARING

Pursuant to 37 C.F.R. § 42.70(a), Petitioners Facebook, Inc., Instagram, LLC, and WhatsApp Inc. request an oral hearing on all grounds of unpatentability raised in this proceeding. Petitioners also request oral hearing on any issues raised by Patent Owner in its Request for Oral Hearing, any procedural or evidentiary issues raised by the parties, and any additional issues or questions raised by the Board or the parties before or during the oral argument.

Petitioners request 30 minutes total to address all of the issues involved in this proceeding. To the extent the Board schedules the hearing to last more than 60 minutes total, however, Petitioners request that they should be given half the length of the hearing to address these issues.

Petitioners further request that they be permitted to speak first at oral argument as the party bearing the burden of showing the unpatentability of the challenged claims, and that they be permitted to reserve time for rebuttal following Patent Owner's allotted argument time.

Unless the March 13 Order requiring all oral arguments to occur telephonically is still in effect, Petitioners request that the oral hearing be held as scheduled at the USPTO headquarters in Alexandria, Virginia, to the extent practicable including the capacity of the hearing room. Petitioners believe that there will be no more than four attorneys and clients present for this oral hearing.

Should arguments take place in person, Petitioners also request that their attorneys be allowed to use computers at the hearing (in addition to the counsel making the argument using his or her computer to show the demonstratives) to avoid the need for the parties to bring entire paper copies of the record into the hearing room and to facilitate efficient answering of panel questions. Petitioners further request the use of audio-visual equipment suitable to display papers of record and demonstrative exhibits, including a computer-connectable projector, an ELMO, and a screen.

Petitioners further request the services of a court report to transcribe the proceeding.

Dated: April 22, 2020

Respectfully submitted,

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By: / Heidi L. Keefe /
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Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. Section 42.6, that a complete copy of the attached **PETITIONERS' REQUEST FOR ORAL HEARING** and related documents, are being served via electronic mail on the 22d day of April, 2020, upon Patent Owner by serving Patent Owner's counsel of record as follows:

James M. Glass
Ogi Zivojnovic
Sam Stake
John McKee
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DATED: April 22, 2020

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