

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

3SHAPE A/S and 3SHAPE INC.
Petitioner

v.

ALIGN TECHNOLOGY, INC.
Patent Owner

Case IPR2019-00160
Patent 8,675,207

**PATENT OWNER ALIGN TECHNOLOGY, INC.'S REQUEST FOR ORAL
ARGUMENT**

Mail Stop "Patent Board"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner Align Technology, Inc. (“Align”) presently intends to submit a request for adverse judgement in IPR2019-00154, -00155, -00156, -00157, -00159, and -00160 by February 14, 2020. However, to preserve its rights and pursuant to 37 C.F.R. § 42.70 and the Board’s June 11, 2019 Scheduling Order (Paper 10), Align respectfully requests oral argument, which is currently scheduled for March 11 and 12, 2020.

Align specifies the following issues that need to be resolved should Align decide to continue trial:

- Whether claims 1-7, 12-17, and 19-21 are obvious over Babayoff, Okamoto, and Engelhardt;
- Whether claims 7 and 18 are obvious over Babayoff, Engelhardt, and Sachdeva;
- Any issues identified in Petitioner’s Request for Oral Argument;
- Rebuttal to Petitioner’s presentation on all matters;
- Any other issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed, such as any Motions to Exclude and Oppositions to Motions to Exclude; and
- Any other outstanding motions and pleadings, and other issues that the Board deems necessary for issuing a Final Written Decision.

Should Align continue trial, Align requests the ability to use audio visual equipment to display possible demonstratives and exhibits, including the use of an ELMO, computer, projector, and screen.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Jason D. Eisenberg, Reg. No. 43,447
Attorney for Petitioner

Date: January 28, 2020
1100 New York Avenue, N.W.
Washington, D.C. 20005
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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **PATENT OWNER ALIGN TECHNOLOGY, INC.'S REQUEST FOR ORAL ARGUMENT** was served electronically via e-mail on January 28, 2020, in its entirety on the following:

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