

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMNEAL PHARMACEUTICALS LLC, PAR PHARMACEUTICAL, INC., and  
WOCKHARDT BIO AG

Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

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Case IPR2015-00547<sup>1</sup>  
Patent 7,765,107

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

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<sup>1</sup> Case IPR2015-01820 has been joined with this proceeding.

Patent Owner, Jazz Pharmaceuticals, Inc. hereby requests that oral argument be held before the Patent Trial and Appeal Board (the “Board”) pursuant to 37 C.F.R. § 42.70 and the Board’s July 28, 2015 Scheduling Order (Paper 26). As set forth in its Order, the Board has currently scheduled the oral hearing for April 19, 2016. This request encompasses each of the issues addressed in Petitioners’ Petition (as applicable after institution) and Reply, Patent Owner’s Response, and all exhibits thereto, including declarations and depositions. The specific issues Patent Owner wishes to address are set forth below, without waiver or prejudice.

### **ISSUES TO BE ARGUED**

1. Whether Petitioners have met their burden of proving that the ACA Materials (Exs. 1003-1006) qualify as prior art.
2. Claim construction – The proper construction of the following terms:
  - a. “determining with the computer processor . . . patterns of potential prescription abuse . . . from periodic reports generated only by the central database”;
  - b. “wherein said [prescription] request data contain information identifying the patient”; and
  - c. “wherein said [prescription] request data contain information identifying . . . credentials of the medical doctor”.

3. Whether Petitioners' Reply contains improper reply evidence and arguments.
4. Whether Petitioners have met their burden of proving the challenged claims of U.S. Patent No. 7,765,107 (Ex. 1001) unpatentable as obvious over the ACA Materials (Exs. 1003-1006).
5. Jazz's and Petitioners' Motion(s) to Exclude Evidence, if any.
6. Responses to any issues raised by Petitioners in their Request for Oral Argument or at the oral hearing.
7. Any other issues that the Board deems necessary for issuing a final written decision.

Patent Owner respectfully requests that the Board provide audio-visual equipment to display demonstrative exhibits, including a projector and screen.

Finally, Jazz notes that the patent-at-issue in this IPR is related to patents currently being review in IPR2015-00545, -546, -548, -551, and -554. As these proceedings have certain overlapping issues, Jazz respectfully requests a combined hearing for all six proceedings, with 90 minutes of oral argument time per side in the combined oral hearing. The Board has already scheduled April 19, 2016 as the hearing date for all six IPRs. Further, as the parties agreed, and subject to the Board's approval, Jazz respectfully requests that it be able to prepare and file one set of demonstratives for all six proceedings. The parties propose that the

demonstratives cite: (1) IPR2015-00548's pleadings and exhibits for issues common across all six IPRs; and (2) the other proceedings' pleadings and exhibits only when necessary to address issues specific to those proceedings.

Date: March 18, 2016

Respectfully submitted,

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Patent Owner

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Case IPR2015-00547<sup>2</sup>  
Patent 7,765,107

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**CERTIFICATE OF SERVICE**

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<sup>2</sup> Case IPR2015-01820 has been joined with this proceeding.

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