

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS LLC, PAR PHARMACEUTICAL, INC.,
AND WOCKHARDT BIO AG,
Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.,
Patent Owner.

Cases: IPR2015-00545 (Patent 8,589,182 B1)
IPR2015-00546 (Patent 7,765,106 B2)
IPR2015-00547 (Patent 7,765,107 B2)
IPR2015-00548 (Patent 7,895,059 B2)
IPR2015-00551 (Patent 8,547,988 B1)
IPR2015-00554 (Patent 7,668,730 B2)¹

Before JACQUELINE WRIGHT BONILLA, SUSAN L. C. MITCHELL, and
BRIAN P. MURPHY, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

ORDER
Request for Oral Argument
37 C.F.R. § 42.70

¹ We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading. Cases IPR2015-01810, 01813, 01814, 01815, 01816, 01817, 01818, and 01820 have been joined to these proceedings.

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We instituted trial in the above-referenced *inter partes* review proceedings on July 29, 2015. Paper 25.² Our Scheduling Order set the date for oral hearing as April 19, 2016. Paper 26. Petitioners Amneal Pharmaceuticals LLC and Par Pharmaceutical, Inc. (hereafter “Petitioners”), and Patent Owner have requested a single consolidated oral hearing in the above-referenced cases (including joined proceedings), pursuant to 37 C.F.R. § 42.70(a). Papers 54, 57. The parties’ request is GRANTED.

Each party will have 90 minutes of total argument time. Petitioners bear the ultimate burden of proof that the claims at issue are unpatentable. Therefore, at oral hearing Petitioners will open the hearing by presenting their case with regard to the challenged claims and grounds on which we instituted trial. Thereafter, Patent Owner will argue its opposition to Petitioners’ case. Petitioners may use any time Petitioners reserve to rebut Patent Owner’s opposition.

The hearing will commence at **9:00 AM Eastern Time on April 19, 2016**. The hearing will be open to the public, for in-person attendance, on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia. In-person attendance will be accommodated on a first come, first served basis.

The Board will provide a court reporter for the hearing and the reporter’s transcript will constitute the official record of the hearing.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits shall be served on opposing counsel at least five business days before the hearing. The parties have agreed to use one set of demonstrative exhibits for all of the above-referenced

²For ease of reference, all citations are to IPR2015-00545, unless otherwise noted.

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proceedings and to reference the exhibits and papers filed in IPR2015-00548 in their respective demonstrative exhibits for all common issues, except when otherwise necessary. Paper 54, 2; Paper 57, 1–2. The parties’ agreement regarding use of demonstrative exhibits is acceptable to the Board. The parties also shall provide the demonstrative exhibits to the Board at least two business days prior to the hearing by emailing them to Trials@uspto.gov. The parties shall not file any demonstrative exhibits in this proceeding without prior authorization from the Board. The parties are directed to *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, Case IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65), for guidance regarding the appropriate content of demonstrative exhibits.

We expect that the parties will meet and confer in good faith to resolve any objections to demonstrative exhibits, but if such objections cannot be resolved, the parties may file any objections to demonstratives with the Board at least two business days before the hearing. The objections should identify with particularity which portions of the demonstrative exhibits are subject to objection, include a copy of the objected-to portions, and include a one-sentence statement of the reason for each objection. No argument or further explanation is permitted. We will consider any objections and schedule a conference call if deemed necessary. Otherwise, we will reserve ruling on the objections. Any objection to demonstrative exhibits that is not timely filed will be considered waived.

The Board expects lead counsel for each party to be present at the oral hearing, although any backup counsel may present all or part of a party’s argument. If either lead counsel is unable to be present at the hearing, the Board

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shall be advised by email no later than two (2) business days prior to the oral hearing, and such lead counsel shall be available for a conference call if necessary.

Questions regarding specific audio-visual equipment should be directed to the Board at (571) 272-9797. **Requests for audio-visual equipment are to be made 5 days in advance of the hearing date. The request is to be sent to Trials@uspto.gov. If the request is not received timely, the equipment may not be available on the day of the hearing.** The parties are reminded that the presenter must identify clearly and specifically each demonstrative exhibit (e.g., by slide or screen number) referenced during the hearing to ensure the clarity and accuracy of the reporter's transcript.

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