

Filed on behalf of: Mallinckrodt Hosp. Prods. IP Ltd.

Entered: April 11, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRAXAIR DISTRIBUTION, INC.

Petitioner

v.

MALLINCKRODT HOSPITAL PRODUCTS IP LTD.,

Patent Owner

Case IPR2015-00889
U.S. Patent No. 8,573,209 B2

Before KEN B. BARRETT, MICHAEL J. FITZPATRICK, AND
SCOTT A. DANIELS, *Administrative Patent Judges*.

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board's Order dated September 22, 2015 (Paper 16), Patent Owner Mallinckrodt Hospital Products IP Ltd. ("Patent Owner") respectfully requests oral argument on issues related to the patentability of claims 1-7 of U.S. Patent No. 8,573,209 on the instituted grounds set forth in the Board's Decision (Paper 14) and on any issues specified in any motions to exclude or motions for observation regarding cross-examination of reply witness filed by the parties. The Board has previously scheduled the oral argument for May 16, 2016. (Paper 16.)

The Board has also scheduled hearings in the following four related cases on the same date (May 16, 2016):

- IPR2015-00884 (U.S. Patent No. 8,291,904) ("904 patent");
- IPR2015-00888 (U.S. Patent No. 8,776,794) ("794 patent");
- IPR2015-00891 (U.S. Patent No. 8,573,210) ("210 patent"); and
- IPR2015-00893 (U.S. Patent No. 8,776,795) ("795 patent").

The '904, '794, '210, and '795 patents are directed to similar technologies. The five trials will therefore involve overlapping issues and arguments. Thus, Patent Owner requests that the Board provide a consolidated oral argument for all five trials in which Patent Owner is given three hours to present its arguments, including any time reserved for rebuttal arguments.

Patent Owner respectfully requests that the hearing be held in Room A, in

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order to accommodate the 9 attorneys and client representatives that we expect to attend on behalf of Patent Owner. Based on discussions with Petitioner's counsel, we also understand that 6 attorneys and client representatives intend to attend on behalf of Petitioner. Patent Owner also requests permission to use a computer, projector, and screen to display possible demonstratives and exhibits.

Respectfully submitted,

Dated: April 11, 2016

By: /Robert Steinberg/

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Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 11th day of April, 2016, a true and correct copy of the foregoing **Patent Owner's Request for Oral Argument** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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