

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUPIN LTD. and LUPIN PHARMACEUTICALS INC.
Petitioner,

v.

SENJU PHARMACEUTICAL CO., LTD.
Patent Owner.

IPR2015-01097 (US Patent No. 8,751,131)
IPR2015-01099 (US Patent No. 8,669,290)
IPR2015-01100 (US Patent No. 8,927,606)
IPR2015-01105 (US Patent No. 8,871,813)¹

JOINT REQUEST FOR ORAL HEARING

¹ The word-for-word identical paper is filed in each proceeding identified in the heading. IPR2016-00089 has been joined with IPR2015-01097; IPR2016-00091 has been joined with IPR2015-01100; and IPR2016-00090 has been joined with IPR2015-01105. Each of these joined proceedings includes Petitioners InnoPharma Licensing, Inc., InnoPharma Licensing LLC, InnoPharma Inc., Mylan Pharmaceuticals Inc., and Mylan Inc. (collectively, “InnoPharma”), in addition to the parties identified above.

The Board tentatively scheduled oral hearing for IPR2015-01097, -01099, -01100, and -01105, which involve some common parties and related patents, namely U.S. Patent No. 8,669,290, U.S. Patent No. 8,751,131, U.S. Patent No. 8,927,606, and U.S. Patent No. 8,871,813, for June 9, 2016. Paper 14.

Pursuant to 37 C.F.R. § 42.70(a), Petitioners and Patent Owner (“the Parties”) request a consolidated oral hearing, two hours total, on the instituted grounds of unpatentability in each of the proceedings, including:

- whether claims 1-30 of the ’131 patent are obvious over Ogawa and Sallmann;
- whether claims 1-30 of the ’290 patent are obvious over Ogawa and Sallmann;
- whether claims 1-30 of the ’606 patent are obvious over Sallmann and Ogawa; and
- whether claims 1-27 of the ’813 patent are obvious over Sallmann and Ogawa.

Patent Owner also requests oral hearing on any motions to exclude filed by either party. Petitioner does not believe oral hearing on any motions to exclude is necessary, but will be prepared to address any issues should the Board so desire.

The Parties request sixty minutes per side to address these issues. The Parties have agreed to the following sequential allocation of time periods during the argument: 45 minutes (Petitioners), sixty minutes (Patent Owner), and 15 minutes (Petitioners). In the event the Board allocates more or less than sixty minutes per side, the Parties have agreed to scale these time periods accordingly.

The Parties each request that two counsel at the counsel's table be allowed to use their 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 request that ten spaces be reserved at the oral hearing to accommodate their counsel and corporate representatives. Patent Owner requests that ten spaces be reserved at the oral hearing to accommodate its counsel and corporate representatives. This paper is being filed by counsel for Patent Owner with the approval of Petitioners.

Date: May 12, 2016

By: *Bryan C. Diner*
Bryan C. Diner, Lead Counsel
Registration No. 32,409

Counsel for Patent Owner Senju

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **JOINT REQUEST FOR ORAL HEARING**, was served on May 12, 2016, via email directed to counsel of record for the Petitioner at the following:

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Dated: May 12, 2016

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