

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VI LLC,

PETITIONER,

V.

CELGENE CORPORATION,

PATENT OWNER.

Case No.: IPR2015-01102

Patent No. 6,315,720

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70, the Board’s October 27, 2015 Scheduling Order (Paper 22), Petitioner Coalition for Affordable Drugs VI LLC (“CFAD”) respectfully requests oral argument, which is currently scheduled for July 21, 2016. (Paper 22.)

Petitioner specifies the following issues to be argued:

1. Whether claims 1 – 32 are unpatentable under 35 U.S.C. § 103(a) over Powell and Dishman in view of Cunningham (Ex. 1008) and further in view of Mundt (Ex. 1017), Mann (Ex. 1018), Vanchieri (Ex. 1019), Shinn (Ex. 1020), Linnarsson (Ex. 1021), Grönroos (Ex. 1022), Soyka (ex. 1023), Hamera (Ex. 1024), Kosten (Ex. 1025), and Menill (Ex. 1026);
2. Whether Patent Owner’s alleged evidence of objective indicia is insufficient to overcome Petitioner’s showing of obviousness;
3. Any issues specified by Patent Owner Celgene Corporation in its Request for Oral Argument;
4. Rebuttal to Patent Owner’s presentation on all matters; and
5. Any other outstanding motions and pleadings, and other issues that the Board deems necessary for issuing a Final Written Decision.

CFAD requests it be permitted to argue first. Office Patent Trial Practice Guide, 77 Fed. Reg. 48,768 (Aug. 14, 2012) (“[A] petitioner to a hearing will go

first followed by the patent owner or respondent after which a rebuttal may be given by the petitioner.”) CFAD requests at least 60 minutes for its arguments with the opportunity to reserve time for a rebuttal.

CFAD further respectfully requests the ability to use audio visual equipment to display possible demonstratives and exhibits, including the use of a computer, projector, and screen.

June 16, 2016

Respectfully Submitted,

/Sarah E. Spires/

Sarah E. Spires (Reg. No. 61,501)

SKIERMONT DERBY LLP

2200 Ross Ave., Ste. 4800W

Dallas, Texas 75201

P: 214-978-6600/F: 214-978-6601

Lead Counsel for Petitioner

Dr. Parvathi Kota (Reg. No. 65,122)

Paul J. Skiermont (*pro hac vice*)

Sadaf R. Abdullah (*pro hac vice*)

SKIERMONT DERBY LLP

2200 Ross Ave., Ste. 4800W

Dallas, Texas 75201

P: 214-978-6600/F: 214-978-6621

Back-Up Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served on the counsel for Patent Owner a true and correct copy of the foregoing Petitioner's Request for Oral Argument, by filing this document through the Patent Review Processing System, as well as by electronic means on June 16, 2016 at the following addresses of record:

Francis Cerrito
nickcerrito@quinnemanuel.com

Eric C. Stops
ericstops@quinnemanuel.com

Frank C. Calvosa
frankcalvosa@quinnemanuel.com

Anthony Insogna
aminsogna@jonesday.com

J. Patrick Elsevier
jpelsevier@jonesday.com

Gasper J. LaRosa
gjarosa@jonesday.com

Dated: June 16, 2016

Respectfully submitted,

/Sarah E. Spires/

Sarah E. Spires (Reg. No. 61,501)
Counsel for Petitioner