

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 IPR2015-01103

Patent 6,315,720

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

Patent Owner, Celgene Corporation (“Celgene”), 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 October 27, 2015 Scheduling Order (Paper 23). As set forth in its Order, the Board has currently scheduled the oral hearing for July 21, 2016. This request encompasses each of the issues addressed in Petitioner’s 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. The correct definition of a person of ordinary skill in the art for this proceeding.
2. Claim construction – The proper construction of the term “prescription approval code.”
3. Whether Petitioner’s Reply contains improper reply evidence and arguments.
4. Whether Petitioner has met its burden of proving the challenged claims of U.S. Patent No. 6,315,720 (Ex. 1001) unpatentable as obvious over Mitchell (Ex. 1010) and Dishman (Ex. 1007) 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 Mennill (Ex. 1026).

5. Patent Owner's and Petitioner's Motion(s) to Exclude Evidence, if any.
6. Responses to any issues raised by Petitioner in its 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, Celgene notes that the patent at-issue in this IPR is also being reviewed in IPR2015-01096 and -1102. Further, Celgene owns another patent that is currently being reviewed in IPR2015-01092. The trial for those three proceedings has also been scheduled for July 21, 2016. Celgene respectfully requests a combined hearing for all four proceedings, with 45 minutes of oral argument time per side in the combined oral hearing.

Date: June 16, 2016

Respectfully submitted,

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