

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
WOCKHARDT BIO AG,
TEVA PHARMACEUTICALS USA, INC.,
AUROBINDO PHARMA U.S.A., INC.,
SUN PHARMACEUTICAL INDUSTRIES, LTD.,
SUN PHARMA GLOBAL FZE and
AMNEAL PHARMACEUTICALS LLC
Petitioners,

v.

ASTRAZENECA AB,
Patent Owner.

Case: IPR2015-01340¹
U.S. Patent No. RE44,186

PATENT OWNER'S REQUEST FOR ORAL HEARING

¹ Petitioner Wockhardt from IPR2016-01029, Petitioner Teva from IPR2016-01122, Petitioner Aurobindo from IPR2016-01117, and Petitioners Sun/Amneal from IPR2016-01104 have been added as Petitioners to this proceeding.

Pursuant to 37 C.F.R. § 42.70(a) and the Scheduling Order (Paper No. 17), Patent Owner AstraZeneca AB respectfully requests oral argument. The Scheduling Order identified January 25, 2017 for the oral argument; however, Patent Owner notes that this proceeding is not presently docketed on the PTAB's Public Hearing Schedule.

Patent Owner intends to argue the following issues at the argument:

(1) Any issues raised in Petitioners' Papers (Nos. 3, 11, 41) or Patent Owner's Paper (No. 28) for IPR2015-01340, relating to (a) whether claims 1, 2, 4, 6-11, 25-28, 32-35, 39, and 40, under 35 U.S.C. § 103(a), are obvious over Ashworth-I (Ex. 1007), Villhauer-1998 (Ex. 1008), Raag (Ex. 1009), and Hanessian-I (Ex. 1010); (b) whether claims 12-16, 29, 30, 36, 37, 41, and 42, under 35 U.S.C. § 103(a), are obvious over Ashworth-I, Villhauer-1998, Raag, Hanessian-I, Bachovchin (Ex. 1011), and GLUCOPHAGE Label (Ex. 1012); (c) whether claims 12, 17, 18, and 22 under 35 U.S.C. § 103(a), are obvious over Ashworth-I, Villhauer-1998, Raag, Hanessian-I, Bachovchin, and XENICAL Label (Ex. 1013); (d) whether claims 12, 19, 20, and 21 under 35 U.S.C. § 103(a), are obvious over Ashworth-I, Villhauer-1998, Raag, Hanessian-I, Bachovchin, and MEVACOR Label (Ex. 1014); and (e) whether there is evidence of secondary considerations;

(2) Patent Owner's motions for observation regarding cross-examination of Petitioners' reply witnesses and any opposition by Petitioners thereto; and

(3) any issues raised by Petitioners' in their Request for Oral Hearing.

Because of the technical complexity of the issues in dispute, Patent Owner requests sixty (60) minutes of time to address these issues. Patent Owner also requests the ability to use computers at counsel's table to display demonstrative exhibits.

Respectfully submitted,

Dated: December 12, 2016

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CERTIFICATE OF SERVICE

The undersigned certifies that copies of the foregoing **PATENT OWNER
ASTRAZENECA AB'S REQUEST FOR ORAL HEARING** was served electronically via e-mail on December 12, 2016, in its entirety to the following:
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