

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VII LLC,
Petitioner,

v.

POZEN INC.,
Patent Owner.

IPR2015-01718
Patent 8,945,621

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board's February 23, 2016 Scheduling Order (Paper 18), Petitioner respectfully requests oral argument, which is currently scheduled for November 16, 2016.

Petitioner specifies the following issues to be argued:

- (1) Whether claims 1–16 are unpatentable under 35 U.S.C. § 103(a) over Plachetka (Ex. 1004) in view of Graham (Ex. 1005) and Goldstein (Ex. 1006);
- (2) Whether claims 1–16 are unpatentable under 35 U.S.C. § 103(a) over Plachetka (Ex. 1004);
- (3) Any other subsidiary issues relevant to issues (1) and (2), including whether the final “wherein” clause of independent claims 1, 8, 15, and 16 is entitled to patentable weight;
- (4) Whether Patent Owner's alleged evidence of unexpected results is insufficient to overcome Petitioner's showing of obviousness;
- (5) Any issues specified by Patent Owner in its Request for Oral Argument;
- (6) Rebuttal to Patent Owner's presentation on all matters;
- (7) Any issues raised in outstanding motions and pleadings; and

- (8) Any other issues that the Board deems necessary for issuing a Final Written Decision.

Petitioner requests that 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.”). Petitioner requests at least 45 minutes for its arguments with the opportunity to reserve time for a rebuttal.

Petitioner respectfully requests the ability to use audio visual equipment to display possible demonstrative exhibits.

Date: October 13, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on October 13, 2016 a copy of the foregoing PETITIONER'S REQUEST FOR ORAL ARGUMENT was provided via email to the following counsel of record for Patent Owner:

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