

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS X LLC,
Petitioner,

v.

ANACOR PHARMACEUTICALS, INC.,
Patent Owner.

Case No. IPR2015-01776
Patent No. 7,582,621

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

In accordance with 37 C.F.R. § 42.70(a) and the Scheduling Order (Paper No. 25) as modified by the Joint Notices of Stipulation to Adjust Schedule (Paper No. 28 and No. 31), Patent Owner requests the opportunity to present oral argument on the instituted ground of unpatentability for U.S. Patent No. 7,528,621 (*see* Paper No. 24, p. 15), which encompasses each of the claim construction and obviousness issues addressed in Petitioner's Petition and Reply, Patent Owner's Response, and all exhibits thereto, including declarations and depositions.

The instituted ground and other issues to be addressed at oral argument include:

(1) Petitioner has failed to carry its burden under 35 U.S.C. § 316(e) to prove that Claims 1–12 of the '621 Patent are unpatentable under 35 U.S.C. § 103(a) over Austin and Brehove;

(2) Petitioner has failed to carry its burden under 35 U.S.C. § 316(e) to prove that Claims 1–12 of the '621 Patent are unpatentable under 35 U.S.C. § 103(a) over Austin and Freeman;

(3) Petitioner's Reply inappropriately introduced new arguments and evidence outside the scope of a proper reply as defined in 37 C.F.R. § 42.23(b);

(4) Patent Owner's Motion to Exclude Evidence Pursuant to 37 C.F.R. § 42.64; and

(5) Rebuttal to Petitioner's presentation on all matters, including: i) issues 1 through 4 above; and ii) any motion to exclude filed by Petitioner.

Patent Owner requests 30 minutes of argument time for the issues in the present proceeding. Oral argument (Due Date 7) is scheduled for November 3, 2016 (Paper No. 25, p. 6).

Date: September 27, 2016

Respectfully submitted,

By 

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on this 27th day of September 2016, the foregoing **Patent Owner's Request for Oral Argument Under 37 C.F.R. § 42.70** was served by electronic mail, by agreement of the parties, on the following counsel of record for Petitioner:

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Date: September 27, 2016


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