

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

AMNEAL PHARMACEUTICALS LLC and PAR PHARMACEUTICAL, INC.

Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

---

Case IPR2015-01903

Patent 8,731,963

---

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

Patent Owner, Jazz Pharmaceuticals, Inc. (“Jazz”) 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 March 25, 2016 Scheduling Order (Paper 11). Jazz respectfully requests that it be allotted 45 minutes for argument. As set forth in its Order, the Board has currently scheduled the oral hearing for October 14, 2016. This request encompasses each of the issues addressed in Petitioners’ 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. Whether Petitioners have met their burden of proving that instituted claims 24, 26, and 27 of U.S. Patent No. 8,731,963 (Ex. 1001) are unpatentable as obvious over the ACA Materials (Exs. 1003-1006) and Korfhage (Ex. 1037).
2. Jazz’s and Petitioners’ Motion(s) to Exclude Evidence, if any.
3. Responses to any issues raised by Petitioners in their Request for Oral Argument or at the oral hearing.
4. Any other issues that the Board deems necessary for issuing a final written decision.

Jazz respectfully requests that the Board provide audio-visual equipment to display demonstrative exhibits, including a projector and screen.

Date: September 16, 2016

Respectfully submitted,

By: /F. Dominic Cerrito (Reg. No. 38,100)/

F. Dominic Cerrito (Reg. No. 38,100)

Evangeline Shih (Reg. No. 50,170)

Gabriel P. Brier (Reg. No. 55,026)

Frank C. Calvosa (Reg. No. 69,064)

QUINN EMANUEL URQUHART &

SULLIVAN, LLP

51 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10010

General Tel: (212) 849-7000

Fax: (212) 849-7100

nickcerrito@quinnemanuel.com

evangelineshih@quinnemanuel.com

gabrielbrier@quinnemanuel.com

frankcalvosa@quinnemanuel.com

David B. Cochran (Reg. No. 44,114)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, Ohio 44114

General Tel: (216) 586-3939

Fax: (216) 579-0212

dcochran@jonesday.com

*Attorneys for Jazz Pharmaceuticals, Inc.*

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

AMNEAL PHARMACEUTICALS LLC and PAR PHARMACEUTICAL, INC.

Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

---

Case IPR2015-01903

Patent 8,731,963

---

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that PATENT OWNER'S REQUEST FOR ORAL ARGUMENT PURSUANT TO 37 C.F.R. § 42.70 was served on September 16, 2016 by filing this document through the Patent Review Processing System, as well as e-mailing a copy to mruedy@meiplaw.com, smaddox@meiplaw.com, bradford.frese@arentfox.com, janine.carlan@arentfox.com, richard.berman@arentfox.com, and XYREM@arentfox.com.

Date: September 16, 2016

Respectfully submitted,

By: /F. Dominic Cerrito (Reg. No. 38,100)/  
F. Dominic Cerrito (Reg. No. 38,100)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
51 Madison Avenue, 22<sup>nd</sup> Floor  
New York, NY 10010  
General Tel: (212) 849-7000  
Fax: (212) 849-7100  
nickcerrito@quinnemanuel.com

*Lead Counsel for  
Jazz Pharmaceuticals, Inc.*