

For the Petitioner
Lead counsel: James T. Carmichael, Reg. No. 45,306
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Carmichael IP, PLLC

Paper No. ____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS V LLC;
HAYMAN CREDES MASTER FUND, L.P.;
HAYMAN ORANGE FUND SPC – PORTFOLIO A;
HAYMAN CAPITAL MASTER FUND, L.P.;
HAYMAN CAPITAL MANAGEMENT FUND, L.P.;
HAYMAN OFFSHORE MANAGEMENT, INC.;
HAYMAN INVESTMENTS, LLC;
NXN PARTNERS, LLC;
IP NAVIGATION GROUP, LLC;
J KYLE BASS, and ERICH SPANGENBERG,
Petitioners,
v.
BIOGEN MA INC.,
Patent Owner.

Case IPR2015-01993
Patent 8,399,514 B2

PETITIONER REQUEST FOR ORAL ARGUMENT

Pursuant to the Board's Scheduling Order (Paper 34), the Notice of Joint Stipulation to Modify Due Dates 2-4 (Paper 44), and the Board's Oral Arguments Order (Paper 56), Petitioner respectfully requests 20 minutes for oral argument in the trial currently scheduled on 30 November 2016. Pursuant to 37 C.F.R. §42.70, Petitioner specifies the following issues, without intent to waive consideration of any issue not requested, to be argued for this proceeding:

1. Whether provisional application 60/888,921 (Ex. 1012) provides written descriptive support and enablement for the claims of U.S. Patent 8,399,514 ("the '514 patent") as required by 35 U.S.C. §112, ¶1.
2. Whether claims 1-6, 8-16 and 20 of the '514 patent are unpatentable under 35 U.S.C. §103(a) over Kappos 2006 (Ex. 1003A), ClinicalTrials (Ex. 1022), Joshi '999 (Ex. 1030) and/or ICH Guidelines (Ex. 1004).
3. Whether claim 7 of the '514 patent is unpatentable under 35 U.S.C. §103(a) over Kappos 2006 (Ex. 1003A), ClinicalTrials (Ex. 1022), Joshi '999 (Ex. 1030), ICH Guidelines (Ex. 1004) and/or Joshi '992 (Ex. 1036).
4. Whether claims 17-19 of the '514 patent are unpatentable 35 U.S.C. §103(a) over Kappos 2006 (Ex. 1003A), ClinicalTrials (Ex. 1022),

Joshi '999 (Ex. 1030), ICH Guidelines (Ex. 1004) and/or Begleiter (Ex. 1027).

5. Whether Biogen's proffered secondary considerations show non-obviousness.

6. Whether Biogen has established diligence throughout the critical period.

Respectfully submitted,

Dated: 26 October 2016

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Counsel for Petitioner
IPR2015-01993

37 C.F.R. §42.6(e) CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **PETITIONER REQUEST FOR ORAL ARGUMENT** was served on 26 October 2016, via electronic mail directed to counsel of record for the Patent Owner at the following:

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Patent Owner has agreed to electronic service.

Dated: 26 October 2016

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