

On behalf of: Par Pharmaceutical, Inc. *et al.*

Entered: December 20, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAR PHARMACEUTICAL, INC., BRECKENRIDGE PHARMACEUTICAL,
INC., AND ROXANE LABORATORIES, INC.

Petitioners

v.

NOVARTIS AG

Patent Owner

Case IPR2016-00084¹
U.S. Patent No. 5,665,772

Before LORA M. GREEN, CHRISTOPHER L. CRUMBLEY, and
ROBERT A. POLLOCK, *Administrative Patent Judges.*

PETITIONERS' REQUEST FOR ORAL ARGUMENT

¹ Breckenridge Pharmaceutical, Inc. was joined as a party to this proceeding via a Motion for Joinder in IPR2016-01023; Roxane Laboratories, Inc. was joined as a party via a Motion for Joinder in IPR2016-01102.

Pursuant to 37 C.F.R. § 42.70, the Board's Scheduling Order dated April 29, 2016 (Paper 9), and the Order Modifying Due Date 7, dated December 2, 2016 (Paper 45), Petitioners Par Pharmaceutical, Inc., Breckenridge Pharmaceutical, Inc., and Roxane Laboratories, Inc. (collectively, "Petitioners") respectfully request oral argument on issues related to the patentability of claims 1-3 and 8-10 of U.S. Patent No. 5,665,772 ("772 patent") on the instituted grounds set forth in the Board's Decision (Paper 8) and on any issues specified in any motions to exclude, motions for observation regarding cross-examination of reply witnesses, or any other pending motions filed by the parties. The Board has previously scheduled the oral argument for February 2, 2017. (Paper 45.)

Petitioners respectfully request that the Board allow Petitioners (collectively) and Patent Owner 45 minutes each to present their arguments, including any time reserved for rebuttal arguments.

Lead counsel for petitioner Par Pharmaceutical, Daniel Brown, will argue for the petitioners, but lead counsel for petitioners Breckenridge and Roxane will attend to address any issues or questions from the Board specific to their clients.

Petitioners respectfully request that the hearing be held in Room A, in order to accommodate the three law firms representing the three Petitioners, the law firm representing Patent Owner, as well as client representatives who may wish to attend. Petitioners request permission to use a computer, projector, and screen to dis-

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play demonstratives and exhibits. Petitioners also request that the attorneys at Petitioners' counsel table be allowed to use computers.

Respectfully submitted,

Dated: December 20, 2016

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 20th day of December, 2016, a true and correct copy of the foregoing **PETITIONERS' REQUEST FOR ORAL ARGUMENT** was served by electronic mail on Patent Owner's lead and backup counsel at the following email address:

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