

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC. and MYLAN LABORATORIES
LIMITED,
Petitioners,

v.

UCB PHARMA GMBH,
Patent Owner.

Case IPR2016-00510¹
Patent 6,858,650 B1

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

¹ Petitioners Alembic Pharmaceuticals Limited from IPR2016-01596, Torrent Pharmaceuticals Limited from IPR2016-01636, and Amerigen Pharmaceuticals Limited from IPR2016-01665 have been joined as Petitioners to this proceeding.

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Pursuant to 37 C.F.R. § 42.70(a), Patent Owner UCB Pharma GmbH (“UCB” or “Patent Owner”) requests oral argument in IPR2016-00510, IPR2016-00512, IPR2016-00514, IPR2016-00516, and IPR2016-00517. Pursuant to the Board’s July 26, 2016 Consolidated Scheduling Order,² UCB understands that oral argument is currently scheduled for April 5, 2017.

Pursuant to 37 C.F.R. § 42.70(a), UCB respectfully requests up to sixty (60) minutes of oral argument per side on all issues raised in the Corrected Petition (Paper 5), the Patent Owner Preliminary Response (Paper 9), the Board’s Institution Decision (Paper 12), the Patent Owner Response (Paper 20), and the Petitioner’s Corrected Reply (Paper 28). These issues include, but are not limited to, the following:

1. The scope and content of the prior art.
2. The patentability of claims 1-5 and 21-24 of U.S. Patent No. 6,858,650, claims 1-16 of U.S. Patent No. 7,384,980, claims 1-5 of U.S. Patent No. 7,855,230, claims 1-3, 5-8, and 10-12 of U.S. Patent No. 8,338,478, and claims 1, 3, 4, and 6-8 of U.S. Patent No. 7,985,772 over the combination of Postlind (Ex. 1010), Bundgaard publications (Exs. 1012 and 1020), Detrol® Label (Ex. 1009), and Berge (Ex. 1013) under 35 U.S.C. § 103.

² The schedule in this case was consolidated with the schedules of related cases IPR2016-00512, IPR2016-00514, IPR2016-00516, and IPR2016-00517. *See* IPR2016-00516, Paper 13.

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3. The patentability of claims 1-5 and 21-24 of U.S. Patent No. 6,858,650 over the combination of Brynne (Ex. 1011), Bundgaard publications (Exs. 1012 and 1020), and Johansson (Ex. 1005) under 35 U.S.C. § 103.
4. The patentability of claims 1-16 of U.S. Patent No. 7,384,980, claims 1-5 of U.S. Patent No. 7,855,230, claims 1-3, 5-8, and 10-12 of U.S. Patent No. 8,338,478, and claims 1, 3, 4, and 6-8 of U.S. Patent No. 7,985,772 over the combination of Brynne (Ex. 1011), Bundgaard (Ex. 1012), and Johansson (Ex. 1005) under 35 U.S.C. § 103.
5. Any future issues raised by the Petitioner in its filings or at the oral argument.
6. Any additional issues on which the Board seeks information or clarification.

Subject to the Board's approval, UCB intends to use demonstrative exhibits during the oral argument. Such demonstrative exhibits will be served in due course according to 37 C.F.R. § 42.70(b). UCB also intends to request the use of audio-visual equipment during its presentation, including a computer, projector, and screen on which to display demonstrative exhibits.

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Respectfully submitted,

WHITE & CASE LLP

/Jeffrey J. Oelke/ (Electronically signed)

Jeffrey J. Oelke, Reg. No. 37,409

joelke@whitecase.com

James S. Trainor, Jr., Reg. No. 52,297

jtrainor@whitecase.com

Robert E. Counihan, Reg. No. 61,382

rcounihan@whitecase.com

White & Case LLP

1155 Avenue of the Americas

New York, NY 10036

(212) 819-8200

Attorneys for UCB Pharma GmbH

Date: March 8, 2017

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Request for Oral Argument Under 37 C.F.R. § 42.70(a) was served on March 8, 2017, by filing this document through the Patent Trial and Appeal Board End to End system as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioners:

Mitchell G. Stockwell, Reg. No. 39,389
mstockwell@kilpatricktownsend.com
D. Clay Holloway, Reg. No. 58,011
cholloway@kilpatricktownsend.com
Alyson L. Wooten, Reg. No. 58,045
awooten@kilpatricktownsend.com
Kilpatrick Townsend & Stockton LLP
1100 Peachtree Street, NE Suite 2800
Atlanta, Georgia 30309
(404) 815-6500

William Hare, Reg. No. 44,739
bill@miplaw.com
Gabriela Materassi, Reg. No. 47,774
materassi@miplaw.com
Renita S. Rathinam, Reg. No. 53,502
rathinam@miplaw.com
MCNEELY, HARE & WAR LLP
5335 Wisconsin Ave., NW
Suite 440
Washington, DC 20015
(202) 640-1801

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