

Case IPR2016-00820
U.S. Patent No. 7,064,197

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOLOGIC, INC., and BECTON, DICKINSON AND COMPANY,
Petitioner

v.

ENZO LIFE SCIENCES, INC.,
Patent Owner

Case IPR2016-00820

U.S. Patent No. 7,064,197
TITLE: SYSTEM, ARRAY AND NON-POROUS SOLID SUPPORT
COMPRISING FIXED OR IMMOBILIZED NUCLEIC ACIDS
Issue Date: June 20, 2006

ENZO'S REQUEST FOR ORAL ARGUMENT

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Case IPR2016-00820

U.S. Patent No. 7,064,197

Pursuant to 37 C.F.R. § 42.70, Patent Owner Enzo Life Sciences, Inc. (“Enzo”) respectfully requests oral argument for Case IPR2016-00820, which oral argument is currently scheduled for June 1, 2017. Enzo anticipates that it will present oral argument on the following issues:

1. Claims 1, 6, 8, 9, 12-16, 27, 32-34, 41, 61-63, 69, 70, 72-74, 79, 100, 191, 193, 194, 212, 213, 219, 222, 225- 227, 230, 233, and 236 of U.S. Patent No. 7,064,197 (“the ’197 Patent”) are not anticipated by Fish.
2. Claims 31, 64, 68, 101, 192, and 195 of the ’197 Patent are not obvious over Fish.
3. Claims 38, 78, and 218 of the ’197 Patent are not obvious over Fish and Gilham.
4. VPK is not prior art to the challenged claims of the ’197 Patent.
5. Claims 1, 6, 8, 9, 12-15, 27, 31, 32, 34, 61-63, 68-70, 72, 74, 79, 100, 191-194, 213, 219, 226, 227, and 236 of the ’197 Patent are not anticipated by VPK.
6. Claims 16, 38, 64, 78, 101, 195, 218, 222, and 230 of the ’197 Patent are not obvious over VPK, Noyes, and Ramachandran.
7. Claims 33, 41, 73, 212, 225, and 233 are not obvious over VPK and Metzgar.

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8. Enzo's Motion to Exclude.

Enzo also anticipates that it will present oral argument to rebut Petitioners' arguments.

Enzo respectfully proposes consolidating oral argument in this proceeding with oral argument in related matter Case IPR2016-00822, which involves the same patent and many of the same issues. Enzo also respectfully proposes that each side receive 45 minutes in total to present its arguments in the consolidated oral argument.

Finally, Enzo requests the use of audio-visual equipment to display demonstratives and exhibits, including the use of a computer, ELMO presenter, projector, and screen.

Dated: April 24, 2017

Respectfully submitted,

/kkm/

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Enzo Life Sciences, Inc.*

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on April 24, 2017, a complete copy of the foregoing was served on counsel of record for the Petitioner by filing this document through PTAB E2E and by sending this document via electronic mail to the following addresses:

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