

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

LUPIN LTD. and LUPIN PHARMACEUTICALS, INC.

Petitioners

v.

HORIZON THERAPEUTICS, LLC

Patent Owner

---

Case IPR2016-00829

Patent 9,095,559

---

**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a) and the Board's Scheduling Order (Paper 14), the Patent Owner requests oral argument, which is currently scheduled for July 28, 2017. The Patent Owner expects to argue the following issues at the oral argument:

- (1) Whether the Petitioner has met its burden to show that claims 1, 2, 4, 5, 7-10, 12, and 13 of the '559 Patent would have been obvious over Blau, Simell, and the '859 Publication.
- (2) Whether the Petitioner has met its burden to show that claims 3, 6, 11, 14, and 15 of the '559 Patent would have been obvious over Blau, Simell, the '859 Publication, and Brusilow '84.
- (3) Interpretations of the above-listed claims.
- (4) The level of ordinary skill in the art, the attributes of one of ordinary skill in the art at the time of the inventions claimed in the '559 Patent, and whether the Petitioner's expert, Dr. Vaux, has the requisite qualifications and knowledge of one of ordinary skill in the art of the claimed subject matter.
- (5) The Patent Owner's responses to arguments made by the Petitioner in its Reply (Paper 31).
- (6) Any other subsidiary issue relevant to issues (1) - (5).

- (7) Any other issues identified by the Patent Owner or the Petitioner for oral argument or any other issues raised in papers filed on or after this date.
- (8) Any other issues the Board deems necessary for issuing a final written decision.

Respectfully submitted,

Date: 2017 June 12

By: /M.C. Phillips/

Matthew C. Phillips  
Registration No. 43,403  
Backup Counsel for Patent Owner

## CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2017, copies of the foregoing PATENT OWNER'S REQUEST FOR ORAL ARGUMENT and all documents filed with it were served via electronic mail, as agreed to by counsel, upon the following counsel for the Petitioners:

Elizabeth J. Holland: [eholland@goodwinprocter.com](mailto:eholland@goodwinprocter.com)

Cynthia Lambert Hardman: [chardman@goodwinprocter.com](mailto:chardman@goodwinprocter.com)

Robert V. Cerwinski: [RCerwinski@goodwinprocter.com](mailto:RCerwinski@goodwinprocter.com)

*/ M.C. Phillips /*

Matthew C. Phillips

Registration No. 43,403