

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORP.,

Petitioner,

v.

BOSTON SCIENTIFIC SCIMED, INC.,

Patent Owner.

Case IPR2017-00444

Patent 6,915,560

Before the Honorable NEIL T. POWELL, JAMES A. TARTAL, and STACY B. MARGOLIES, *Administrative Patent Judges.*

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

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

Pursuant to 37 C.F.R. § 42.70(a) and the Case Management and Scheduling Order (Paper No. 10), Boston Scientific Scimed, Inc. (“Patent Owner”) submits this request for oral argument on the instituted grounds and the pending motion, namely:

1. whether Petitioner has carried its burden of proving by a preponderance of the evidence that claims 1, 2, 6, 8-11, 14, 15, 17-19, 23, 25-28, 31, 33-35, 37, 39, and 40 of U.S. Patent No. 6,915,560 (the ’560 patent) are unpatentable as obvious over Figure 8 of U.S. Patent No. 4,454,657 (“Yasumi”) under 35 U.S.C. § 103(a);

2. whether Petitioner has carried its burden of proving by a preponderance of the evidence that claims 11, 17, 19, 26, 34, 35, and 39 of the ’560 patent are unpatentable as obvious over Yasumi and U.S. Patent No. 5,893,852 (“Morales”) under 35 U.S.C. § 103(a); and

3. whether Petitioner has introduced new issues for the first time in its reply brief and expert declaration as discussed in Patent Owner’s Motion to Exclude.

Oral argument is currently scheduled for March 15, 2018. Patent Owner requests 45 minutes for its argument time. Patent Owner further requests the ability to use audio/visual equipment at oral argument, including an Elmo, projector, and screen to display demonstratives and exhibits.

Dated: February 9, 2018

Respectfully submitted,

/s/ Wallace Wu

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Patent Owner's Request for Oral Argument was served on February 9, 2018 to the following Counsel for Petitioner via e-mail:

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