## UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARGENTUM PHARMACEUTICALS LLC Petitioner

V.

ALCON RESEARCH, LTD. Patent Owner

Patent No. 8,268,299 Issue Date: September 18, 2012 Title: SELF PRESERVED AQUEOUS PHARMACEUTICAL COMPOSITIONS

Inter Partes Review No. IPR2017-01053

**PETITIONER'S REQUEST FOR ORAL ARGUMENT** UNDER 37 C.F.R. § 42.70



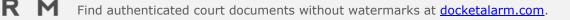
Patent No. 8,268,299

In accordance with 37 C.F.R. § 42.70(a), Petitioner ARGENTUM PHARMACEUTICALS LLC hereby requests the opportunity to present an oral argument in IPR2017-01053. Petitioner's oral argument will focus on the grounds of unpatentability for U.S. Patent No. 8,268,299 instituted in the proceeding (*see* Decision on Institution of *Inter Partes* Review, Paper No. 6), any counter-arguments raised by Patent Owner and Petitioner's rebuttal thereto, and any motions or other issues outstanding at the time of oral argument. Petitioner requests <u>45 minutes</u> of argument time per party to address the following issues (without intent to waive consideration of any issue not requested):

- Whether claims 1, 2, 4–8, 16, 17, and 20 are unpatentable under 35
  U.S.C. § 103 over Xia, Schneider, and Chowhan;
- Whether claim 28 is unpatentable under 35 U.S.C. § 103 over Xia, Schneider, the Travatan® Label, and Chowhan;
- Whether claims 1–23, 25, and 26 are unpatentable under 35 U.S.C. § 103 over Xia, Schneider, Chowhan, and Gadd; and
- Whether claims 24, 27, and 28 are unpatentable under 35 U.S.C. § 103 over Xia, Schneider, the Travatan® Label, Chowhan, and Gadd.

Pursuant to the Board's Scheduling Order (Paper 7), Petitioner understands that Oral Argument will be held on June 14, 2018. Petitioner requests the ability to use audio/visual equipment to display demonstrative exhibits, including the use of a

projector and screen for PowerPoint display.



Dated: May 18, 2018

Respectfully submitted,

## By: /Michael R. Houston/

Michael R. Houston Reg. No. 58,486 Counsel for Petitioner

Joseph P. Meara Reg. No. 44,932 Counsel for Petitioner

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## **CERTIFICATION OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **PETITIONER'S** 

## **REQUEST FOR ORAL ARGUMENT UNDER 37 C.F.R. § 42.70** was served on

May 18, 2018 on Counsel for Patent Owner via electronic mail to the following addresses:

dkrinsky@wc.com

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TravZ-IPR@wc.com

Dated: May 18, 2018

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By: /Michael R. Houston/

Michael R. Houston Reg. No. 58,486 Counsel for Petitioner

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