

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 45 minutes of argument time per party to address the following issues (without intent to waive consideration of any issue not requested):

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

Patent No. 8,268,299

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

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:

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Dated: May 18, 2018

By: /Michael R. Houston/
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