

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARO PHARMACEUTICALS U.S.A., INC.,
Petitioner,

v.

APOTEX TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2017-01446
U.S. Patent No. 7,049,328

Title: USE FOR DEFERIPRONE

**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT
PURSUANT TO 37 C.F.R. § 42.70(a)**

Patent Owner Apotex Technologies, Inc. (“Apotex”) hereby requests an oral argument pursuant to 37 C.F.R. § 42.70(a) and DUE DATE 4 of the Scheduling Order (Paper 8). Patent Owner intends to address the following issues:

- the grounds on which *inter partes* review was instituted, namely:
 - a) whether claims 1, 2, 4-11, 13-17 and 19 of U.S. Patent No. 7,049,328 (“the ’328 patent”) are anticipated by each of Hoffbrand 1998, Olivieri Abstract 1995, and Olivieri 1995; and
 - b) whether claims 1, 2, 4-17, and 19 of the ’328 patent are rendered obvious over each of Hoffbrand 1998, Olivieri Abstract 1995, and Olivieri 1995 in view of the knowledge of a person of ordinary skill in the art;
- whether Patent Owner has established any secondary considerations sufficient to overcome Petitioner’s *prima facie* case of obviousness;
- the claim construction of the following terms:
 - a) “therapeutically effective amount”; and
 - b) the “intended results” (also referred to as “claimed results”) (claims 1, 2, 4-10, and 19);
- any other issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed, such as Motions to Exclude or

Motions for Observations on Cross-Examination; and

- any other issues the Board deems necessary for issuing a final written decision.

Patent Owner respectfully requests one hour per side of oral argument time in this proceeding. Patent Owner further requests permission to use audio/visual equipment to display evidence and demonstrative exhibits, including a projector and screen for PowerPoint or other electronic materials. Patent Owner also requests permission to present handouts of demonstrative exhibits during the oral argument.

Respectfully submitted,

Date: June 28, 2018

By: /s/ W. Blake Coblentz
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CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2018, I caused a true and correct copy of
Patent Owner's Request for Oral Argument Pursuant to 37 C.F.R. 42.70(a) to
be served via electronic mail on the following attorneys of record:

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