

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEPTUNE GENERICS LLC,
Petitioner

v.

CORCEPT THERAPEUTICS, INC.
Patent Owner

Case IPR2018-01494
U.S. Patent No. 8,921,348

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), the Scheduling Order entered on February 15, 2019, (Paper No. 12), and the Revised Scheduling Order (Paper No. 23), Petitioner Neptune Generics, LLC (“Neptune”) respectfully requests the oral argument as currently scheduled in IPR2018-01494 (“the 494 IPR”) for November 19, 2019. Without intending to waive any issue not specifically identified, Neptune identifies below the issues to be argued:

1. The obviousness of claims 1, 2, 4, 6 and 7 under 35 U.S.C §103 over U.S. Patent Application Publication No. US2004/0029848 to Belanoff (“Belanoff ‘848”) (Ex. 1024).
2. The obviousness of claims 1, 2, 4, 6 and 7 under 35 U.S.C §103 over Belanoff 2002 (Ex. 1007) in view of Chu and Belanoff (Ex. 1023) and Sitruk-Ware (Ex. 1008).
3. The obviousness of claim 3 under 35 U.S.C §103 over Belanoff 2002 (Ex. 1007) in view of Chu and Belanoff (Ex. 1023) and Sitruk-Ware (Ex. 1008), further in view of U.S. Patent No. 6,964,953 B2 to Belanoff (“Belanoff ‘953”) (Ex. 1010).
4. The obviousness of claim 5 under 35 U.S.C §103 over Belanoff 2002 (Ex. 1007) in view of Chu and Belanoff (Ex. 1023) and Sitruk-Ware (Ex. 1008), further in view of Murphy (Ex. 1006).

5. The obviousness of claim 3 under 35 U.S.C §103 over Belanoff ‘848 (Ex. 1024), further in view of Belanoff ‘953 (Ex. 1010).
6. The obviousness of claim 3 under 35 U.S.C §103 over Belanoff ‘848 (Ex. 1024), further in view of Murphy (Ex. 1006).
7. Any issues, exhibits, or factual matters raised in the original Petition for the ‘494 IPR (Paper No. 1).
8. Any issues, exhibits, or factual matters raised in the Board’s Decision to institute the ‘494 IPR (Paper No. 11).
9. Any issues, exhibits, or factual matters raised in Patent Owner’s Response in the ‘494 IPR (Paper No. 24).
10. Any issues, exhibits, or factual matters raised in Petitioner’s Reply in the ‘494 IPR (Paper No. 29).
11. Any issues, exhibits, or factual matters raised in Patent Owner’s Sur-Reply in the ‘494 IPR (Paper No. 30).
12. Any issues specified by Patent Owner in a Request for Oral Argument, but only to the extent the Board grants that Request on those issues.

Neptune requests sixty (60) minutes of time to address the issues. Should Patent Owner be granted more time, however, Neptune requests an equal amount of time as Patent Owner be allocated for Neptune.

Neptune reserves the right for rebuttal. Neptune will inform the Board of its specific allocation of time for its opening and rebuttal at the beginning of the oral argument.

Neptune also requests the ability to use computers at counsel's table to display demonstrative exhibits, and respectfully requests that the PTAB provide a projector with VGA and HDMI connections for that purpose.

Dated: October 18, 2019

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that the foregoing **Petitioner's Request for Oral Argument** was served on October 18, 2019 by electronic mail to Patent Owner's Lead and Backup Counsel at the following email addresses:

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