

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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APOTEX INC.  
Petitioner,

v.

UCB BIOPHARMA SPRL  
Patent Owner.

U.S. Patent No. 8,633,194 to Fanara *et al.*

Issue Date: January 21, 2014

Title: Pharmaceutical Composition of Piperazine Derivatives

*Inter Partes* Review No.: IPR2019-00400

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**PETITIONER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a) and the Revised Scheduling Order dated October 7, 2019 (Paper 21), Petitioner Apotex Inc. respectfully submits this Request for Oral Argument. As set forth in the Revised Scheduling Order, the Board has scheduled oral argument for April 22, 2020. Paper 21 at 9.

Petitioner specifies the following issues to be argued:

- a. The patentability of the challenged claims over the combination of WO 2004/050094 (EX1007) and the Handbook (EX1006);
- b. The patentability of the challenged claims over the combination of European Patent Application Publication No. 0605203 A2 (EX1004), U.S. Patent No. 5,698,558, (EX1015) and the Handbook (EX 1006);
- c. Any issues identified in Patent Owner's Request for Oral Argument;
- d. Rebuttal to Patent Owner's presentation on all matters;
- e. Any other issues raised in papers filed in this proceeding, including issues raised in papers yet to be filed or filed concurrently; and
- f. Any additional issues on which the Board seeks information or clarification.

Petitioner further requests permission to use audio/visual equipment at the oral argument, including a computer, projector, and screen for displaying demonstratives and/or exhibits. Petitioner requests equal time with Patent Owner

but, given the issues involved, proposes that thirty (30) minutes per side should be sufficient for the Parties to present their respective arguments and discussion.

RESPECTFULLY SUBMITTED,

Katten Muchin Rosenman LLP

/ Jitendra Malik /

Jitendra Malik (Reg. No. 55,823)

*Lead Counsel for Petitioner  
Apotex, Inc.*

Date: March 5, 2020

## **CERTIFICATION OF SERVICE ON PATENT OWNER**

Pursuant to 37 C.F.R. §§ 42.6(e), 42.8(b)(4), and 42.105, the undersigned certifies that on March 5<sup>th</sup>, 2020, a complete copy of the foregoing Paper, were served via email to the Patent Owner by serving the correspondence address of record for the '194 patent:

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Respectfully submitted,

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