

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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AQUESTIVE THERAPEUTICS, INC.

Petitioner

v.

NEURELIS, INC.

Patent Owner

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Case: IPR2019-00451

U.S. Patent No. 9,763,876

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**PETITIONER'S  
REQUEST FOR ORAL ARGUMENT**

**PETITIONER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R § 42.70 and the Scheduling Order (Paper 9), Petitioner Aquestive Therapeutics, Inc. respectfully requests oral argument in connection with IPR2019-00451, currently scheduled for Thursday, May 14, 2020 in the USPTO headquarters in Alexandria. Petitioner requests sixty (60) minutes in which to present its arguments.

If the oral argument is held by video conference, Petitioner respectfully requests that the video conference provide the ability for the participants to display demonstrative exhibits and documents of record to all participants.

If the oral argument is held in person at USPTO headquarters in Alexandria or elsewhere, Petitioner respectfully requests that the Board make available audio-visual equipment, including a projector to be connected to a laptop and an ELMO, to display demonstrative exhibits and documents of record.

In accordance with 37 C.F.R § 42.70 and without intending to waive any issue not specifically identified, Petitioner specifies the following issues to be argued:

1. That the claims of U.S. Patent No. 9,763,876 are not patentable over the applied art on the grounds presented in the Petition (Paper 3) as summarized below.

Ground	References	Basis	Claims Challenged
1	Gwozdz (EX1014) & Meezan'962 (EX1011)	35 U.S.C. § 103(a)	1-16, 24-36
2	Gwozdz (EX1014) & Meezan'962 (EX1011) & Cartt'784 (EX1015)	35 U.S.C. § 103(a)	17-23

2. That a POSITA would have been motivated to combine the applied references and would have had a reasonable expectation of success in so doing.

4. Any issues raised by Patent Owner in its Request for Oral Argument.

5. Any issues raised by the Board in its Decision (Paper 8).

6. Rebuttal to Patent Owner's oral argument and presentation on all matters.

7. Any objections to evidence, and any motions to exclude and oppositions thereto.

8. Patent Owner's contentions (Paper 26) alleging the presence of new or improper arguments in Petitioner's Reply and/or in Wermeling Declaration.

9. Any other issues that the Board deems necessary for issuing a final written decision.

Dated: March 31, 2019.

/Michael I. Chakansky/  
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First Backup Counsel for  
*Petitioner Aquestive Therapeutics, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 31<sup>st</sup> day of March 2020, the foregoing PETITIONER'S REQUEST FOR ORAL ARGUEMNT was served in its entirety on the following counsel of record by electronic service by email at the email addresses as set forth below.

Jeffrey Guise  
Richard Torczon  
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