

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SANDOZ INC.,
Petitioner,

v.

PHARMACYCLICS LLC,
Patent Owner.

Case IPR2019-00865
U.S. Patent No. 9,795,604

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Patent Owner, pursuant to 37 C.F.R. § 42.70(a), respectfully requests oral argument on the instituted grounds, any issues raised in any motion(s), and any other arguments raised in IPR2019-00865, including:

- whether claims 1, 4, 6–10, 13, 15, 24, 28–31, 35, 39, 43–46, 50–53, and 55 of U.S. Patent No. 9,795,604 (“the 604 patent”) are anticipated by the ’085 publication;
- whether claims 1, 4, 6–10, 13, 15, 24, 28–31, 35, 39, 43–46, 50–53, and 55 of the ’604 patent are obvious over the ’085 publication and the knowledge of a person of ordinary skill in the art;
- whether claims 1, 4, 6–10, 13, 15, 24, 28–31, 35, 39, 43–46, 50–53, and 55 of the ’604 patent are obvious over the ’085 publication, Shimabukuro-Vornhagen, and Herman;
- whether claims 1, 4, 6–10, 13, 15, 24, 28–31, 35, 39, 43–46, 50–53, and 55 of the ’604 patent are obvious over the ’085 publication, Shimabukuro-Vornhagen, and Uckun;
- any issues raised in any motion(s); and
- any other issues raised by the parties in their papers filed in this proceeding.

Patent Owner requests an oral argument with one (1) hour allocated to each party, including time for rebuttal. To the extent the Board schedules a different

amount of time, Patent Owner requests an amount of time equal to that granted to Petitioner.

Pursuant to the Office's notice issued March 13, 2020, Patent Owner understands that all PTAB oral hearings scheduled to take place after March 13, 2020 will be conducted remotely until further notice and that the Board will provide instructions on how to participate by video or telephone in advance of the hearing.

Should the current restrictions be lifted by June 19, 2020—the scheduled date for oral argument, Patent Owner provides the following additional requests.

Patent Owner requests that the panel hear oral argument at the USPTO main office in Alexandria, Virginia.

Patent Owner also requests the ability to use audio-visual equipment to display demonstrative exhibits, including a projector and screen to display PowerPoint slides. If this request for oral argument is granted, Patent Owner will direct its requests for audio-visual equipment to Trials@uspto.gov.

Patent Owner further requests that twelve spaces be reserved at the oral hearing to accommodate counsel and corporate representatives. Lastly, Patent Owner requests that three attorneys be allowed to use computers at the hearing.

Date: May 14, 2020

By: _____ / *William B. Raich* /
William B. Raich, Reg. No. 54,386

Counsel for Patent Owner
Pharmacyclics LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Patent Owner's Request for Oral Argument** was served electronically via email on May 14, 2020, in its entirety on the following:

Kirk T. Bradley
Alston & Bird LLP
101 South Tryon Street, Suite 4000
Charlotte, NC 28280
kirk.bradley@alston.com

Siraj M. Abhyankar
Alston & Bird LLP
1201 W. Peachtree Street NE #4900
Atlanta, GA 30309
shri.abhyankar@alston.com

Christopher L. McArdle
Alston & Bird LLP
90 Park Avenue, Suite 1200
New York, NY 10016
chris.mcardle@alston.com

Petitioner has consented to service by email.

Date: May 14, 2020

By: / William Esper /
William Esper
Legal Assistant

Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP