

Filed: February 12, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN INSTITUTIONAL LLC and PFIZER INC.,

Petitioners

v.

NOVO NORDISK A/S,

Patent Owner

Case No. IPR2020-00324¹

U.S. Patent No. 8,114,833

PETITIONERS' REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's Scheduling Order, Petitioners Mylan Institutional LLC and Pfizer Inc. respectfully request oral argument, which is currently scheduled for March 26, 2021. Paper 15 at 10.

Petitioners intend to argue the following issues:

1. Any issues addressed by Petitioners, including those raised in the Petition for *Inter Partes* Review, Petitioner's Reply, and any related exhibits, including issues relating to:

- claim construction;
- the patentability of claims 1-15 of U.S. Patent No. 8,114,833 in light of Flink (WO 03/002136) (Grounds 1 and 2);
- the patentability of claims 1-31 of U.S. Patent No. 8,114,833 in light of Flink (WO 03/002136) and Betz (WO 04/004781) (Ground 3); and
- Betz's status as 35 U.S.C. § 102(e) prior art.

2. Any issues properly raised by Patent Owner, including those raised in Patent Owner's Response, Patent Owner's Sur-Reply, and any related exhibits.

3. Rebuttal to issues raised by Patent Owner.

4. Any Motions to Exclude Evidence by Petitioners, as well as Oppositions and Replies thereto.

5. Any Motions to Exclude Evidence by Patent Owner, as well as

Oppositions and Replies thereto.

6. Any issues properly raised in Patent Owner's Request for Oral Argument.

7. Any other issues raised in papers filed in this proceeding or on which the Board seeks information or clarification.

Petitioners request that each side have 45 minutes for oral argument. In light of the COVID-19 pandemic, Petitioners understand that oral argument will be conducted by video conference, subject to the Board's guidance. In the event that the hearing is conducted in-person, Petitioners request the ability to use audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen for a PowerPoint presentation.

Dated: February 12, 2021

/s/ Lara Dueppen

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served a true and correct copy of the foregoing: PETITIONERS' REQUEST FOR ORAL ARGUMENT by email to the electronic service addresses for Patent Owner and Petitioner Pfizer Inc.:

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