

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIMFROST AS
Petitioner,

v.

AKER BIOMARINE ANTARCTIC AS
Patent Owner.

Case No. IPR2020-01534
U.S. Patent 10,010,567 B2
Title: BIOEFFECTIVE KRILL OIL COMPOSITIONS

Patent Owner's Request for Oral Argument

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.70, the Board's Scheduling Order dated May 20, 2021 (Paper 7), Patent Owner respectfully requests an oral argument in connection with IPR2020-01534 on U.S. Pat. No. 10,010,567, currently scheduled for February 17, 2022, in the USPTO headquarters in Alexandria. Patent Owner requests sixty (60) minutes total in which to present its arguments. Patent Owner also requests that the court reporter be present in the hearing room.

ISSUES TO BE ARGUED:

1. The Board should adopt any claim construction positions advanced by Patent Owner.
2. Petitioner's failure to prove that any of claims 1-20 are obvious over the combinations of references in the following Table:

Ground	References	Basis	Claims Challenged
1	Sampalis I, Bottino II, Randolph	35 U.S.C. §103(a)	1-5, 7-11, 15-17
2	Sampalis I, Bottino II, Randolph, Breivik II	35 U.S.C. §103(a)	6, 14, 20
3	Sampalis I, Bottino II, Randolph, Bottino I	35 U.S.C. § 103 (a)	12, 18
4	Sampalis I, Bottino II, Randolph, Fricke, Yamaguchi, Hardardottir	35 U.S.C. § 103 (a)	13, 19

3. The content of the prior art at issue.
4. The state of the art at the time of the claimed inventions.
5. The failure of the combined references to teach each element of the claims.
6. Any subsidiary issue relevant to issues (1) to (5), including, without limitation, claim construction, assessment of evidence, and admissibility of evidence or arguments.
7. Any issues raised by Petitioner's request for oral argument.
8. Rebuttal to Petitioner's presentation on all matters.

Patent Owner respectfully requests that the Board make available audio-visual equipment, including a projector to be connected to a laptop to display demonstrative exhibits and documents of record.

Dated: January 6, 2022

Respectfully submitted,

/J. Mitchell Jones/
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 6th day of January 2022, a copy of the foregoing **Patent Owner's Request for Oral Argument** was served in their entirety electronically (as consented to by Petitioner) to the attorneys of record as follows:

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