

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC., CELLTRION, INC., and
APOTEX, INC.,
Petitioners,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

Inter Partes Review No.: IPR2021-00881¹

U.S. Patent No. 9,254,338 B2
Filed: July 12, 2013
Issued: February 9, 2016
Inventor: George D. Yancopoulos

Title: USE OF A VEGF ANTAGONIST TO TREAT
ANGIOGENIC EYE DISORDERS

**PETITIONER'S REQUEST FOR ORAL ARGUMENT
PURSUANT TO 37 C.F.R. § 42.70(a)**

¹ IPR2022-00258 and IPR2022-00298 have been joined with this proceeding.

Pursuant to 37 C.F.R. § 42.70(a) and the Board’s Revised Joint Scheduling Order, dated March 23, 2022 (Paper 48), Petitioner Mylan Pharmaceuticals, Inc. (“Petitioner”) hereby submits this Request for Oral Argument on issues related to the patentability of claims 1, 3-11, 13-14, 16-24, and 26 of U.S. Patent No. 9,254,338 B2. Petitioner intends to discuss the issues raised in the parties’ papers in this proceeding and the Board’s Institution Decision, dated November 10, 2021 (Paper 21), as well as any other issues the Board deems necessary for issuing a Final Written Decision.

The Board has scheduled an oral argument for August 10, 2022, for this proceeding as well as in related proceeding IPR2021-00880 (U.S. Patent No. 9,669,069). *See* Paper 48, 1 n.3, 5. Petitioner proposes that separate oral argument is unnecessary given the significant overlap between the two proceedings. Accordingly, in an effort to maximize efficiency and preserve the Board’s resources, Petitioner respectfully requests the Board consolidate the oral argument for this proceeding (IPR2021-00881) with the oral argument for related proceeding IPR2021-00880. Petitioner further requests that the Board allot 90 minutes total for the consolidated oral argument, which would be divided equally between the parties (45 minutes per side). Petitioner and Patent Owner have met and conferred on the subject of oral argument. It is Petitioner’s understanding that Patent Owner does not agree with the above proposal.

Petitioner further requests that the consolidated oral argument take place in-person at the USPTO's headquarters in Alexandria, Virginia. Petitioner requests that in-house counsel and any other non-arguing attorneys be permitted to attend the consolidated oral argument remotely. Petitioner will advise the Board as to any audio/video request as soon as practicable.

Dated: July 8, 2022

Respectfully Submitted,

RAKOCZY MOLINO MAZZOCHI SIWIK LLP

/Paul J. Molino/

Paul J. Molino

Registration No. 45,350

6 West Hubbard Street

Chicago, IL 60654

Telephone: (312) 222-6300

Facsimile: (312) 843-6260

paul@rmmslegal.com

Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Petitioner's Request for Oral Argument Pursuant to 37 C.F.R. § 42.70(a) was served on July 8, 2022, via electronic mail by agreement of the parties, to the following counsel of record for Patent Owners:

Deborah E. Fishman (Reg. No. 48,621)
David A. Caine (Reg. No. 52,683)
Arnold & Porter Kaye Scholer LLP
3000 El Camino Real
Five Palo Alto Square, Suite 500
Palo Alto, California 94306-3807
Telephone: 650.319.4519
Telephone: 650.319.4710
Facsimile: 650.319.4573
Deborah.Fishman@arnoldporter.com
David.Caine@arnoldporter.com
RegeneronEyleaIPRs@arnoldporter.com

Alice S. Ho (Lim. Rec. No. L1162)
Victoria Reines
Jeremy Cobb
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave., N.W.
Washington D.C. 20001
Tel: 202.942.5000
Fax: 202.942.5999
Alice.Ho@arnoldporter.com
Victoria.Reines@arnoldporter.com
Jeremy.Cobb@arnoldporter.com

Daniel Reisner
Matthew M. Wilk
Arnold & Porter Kaye Scholer LLP
250 West 55th Street
New York, New York 10019-9710
Telephone: 212.836.8000
Fax: 212.836.8689
Daniel.Reisner@arnoldporter.com
Matthew.Wilk@arnoldporter.com

/Paul J. Molino/

Paul J. Molino (Reg. No. 45,350)