DOCKET NO.: 0286868-00188

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## UNITED STATES PATENT AND TRADEMARK OFFICE

## **BEFORE THE PATENT TRIAL AND APPEAL BOARD**

SMITH & NEPHEW INC., WRIGHT MEDICAL GROUP, INC. AND WRIGHT MEDICAL TECHNOLOGY, INC. Petitioners

v.

BONUTTI SKELETAL INNOVATIONS, LLC Patent Owner of U.S. Patent No. 7,806,896 to Peter M. Bonutti

IPR Trial No. IPR2013-00629, Consolidated

## PETITIONERS' REQUEST FOR ORAL ARGUMENT

U.S. Patent No. 7,806,896, Claim 1 Petitioners' Request For Oral Argument, IPR2013-00629

Pursuant to the Board's February 28, 2014 Scheduling Order (Paper 11), the parties' April 10, 2014 Notice of Stipulated Modification of Due Dates 1-3 (Paper 16), the Board's June 30, 2014 Decision Granting Joint Motion for Joinder (Paper 18), and the parties' July 23, 2014 Notice of Stipulated Modification of Due Dates 2-5 (Paper 19), Petitioners respectfully request oral argument for the trial currently scheduled on October 27, 2014. Petitioners request the ability to use a computer, projector, and screen to display possible demonstratives and exhibits.

Pursuant to 37 C.F.R. § 42.70, Petitioners specify the following issues to be argued:

- Issues related to the Board's Decision on Institution and the grounds instituted in the Decision.
- Whether claim 1 is Obvious over Stulberg and either Turner or Scorpio.
- Whether claim 1 is Obvious over the Delp Article and either Turner or Scorpio.
- Reply to any arguments raised in the Patent Owner's Response.
- Response to any issues specified by Patent Owner in its request for oral argument.

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No fee is believed due with this request, however the Director is hereby authorized to charge any shortfall or credit any overpayment to Deposit Account 08-0219.

Respectfully submitted,

Customer Number: 24395

Tel: 202-663-6025 Fax: 202-663-6363 /David L. Cavanaugh/ David L. Cavanaugh Registration No. 36,476 Wilmer Cutler Pickering Hale and Dorr LLP

## **CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2014, I caused a true and correct copy

of the foregoing materials:

• Petitioners' Request for Oral Argument

to be served by email, as previously agreed between the parties, on the following

counsel of record for Patent Owner:

Cary Kappel, Lead Counsel William Gehris, Backup Counsel Davidson, Davidson & Kappel, LLC 485 Seventh Avenue New York, NY 10018 ckappel@ddkpatent.com wgehris@ddkpatent.com Tel.: 212-736-1257

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