

Paper No. ____
Date Filed: July 15, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

3M Company, Merck & Co., Inc., and Merck Sharp & Dohme Corp.

Petitioners,

v .

AptarFrance S.A.S.,

Patent Owner.

Case IPR2018-01055
Patent No. 9,370,631 B2

PETITIONERS' REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a) and the Board's Scheduling Order (Paper No. 12), Petitioners, 3M Company, Merck & Co., Inc., and Merck Sharp & Dohme Corp. ("Petitioners"), hereby request an opportunity to present oral argument regarding their challenges to the patentability of claims 1-4 of U.S. Patent No. 9,370,631 ("the '631 Patent"). Petitioners are also separately requesting oral argument in IPR2018-01054 (U.S. Patent No. 8,936,177). The oral argument for both proceedings (IPR2018-01054 and -01055) is scheduled for August 12, 2019.

Petitioners intend to discuss the issues raised in the parties' filings, including but not limited to the following items:

1. Anticipation of claims 1-4 of the '631 Patent by Allsop (Ex. 1006);
2. Anticipation of claims 1-4 of the '631 Patent by Marelli (Ex. 1008);
3. Obviousness of claims 1-4 of the '631 Patent over Bason (Ex. 1007) in view of Rhoades (Ex. 1009);
4. Obviousness of claims 1-4 of the '631 Patent over Bason (Ex. 1007) in view of Allsop (Ex. 1006);
5. Any issues specified by Patent Owner in its Request for Oral Argument;
6. Rebuttal to Patent Owner's presentation on all matters; and
7. Any issues for which the Board seeks clarification or any other issues the Board deems necessary for issuing a final written decision.

Because the oral argument will address two IPRs and two patents, Petitioners request a total of 1.5 hours¹ to present their arguments. Patent Owner is in agreement that each side receive a total of 1.5 hours. Pursuant to the August 2018 Trial Practice Guide Update, Petitioners request the use of audio/visual equipment at oral argument, including the use of a standard projector for displaying demonstrative exhibits (PowerPoint slides) from a computer and the use of an overhead (“Elmo”) projector.

Dated: July 15, 2019

Respectfully submitted,

/Steven D. Maslowski/

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¹ With the Board's permission, Petitioners will reserve a portion of their designated time for rebuttal.

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*Counsel for Petitioners 3M Company,
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Dohme Corp.*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of a complete and entire copy of this Petitioners' Request for Oral Argument, on the counsel of record for the Patent Owner by filing this document through the End-to-End System as well as delivering a copy via electronic mail to the following address:

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