

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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EDWARDS LIFESCIENCES CORPORATION, EDWARDS  
LIFESCIENCES LLC, AND EDWARDS LIFESCIENCES AG

*Petitioners,*

v.

BOSTON SCIENTIFIC SCIMED, INC.,

*Patent Owner.*

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Case IPR2017-00060  
Patent 8,992,608

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Before the Honorable NEIL T. POWELL, JAMES A. TARTAL, and  
ROBERT L. KINDER, *Administrative Patent Judges.*

**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT  
PURSUANT TO 37 C.F.R. § 42.70**

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

Patent Owner Boston Scientific Scimed, Inc. hereby respectfully submits this Request for Oral Argument pursuant to 37 C.F.R. § 42.70(a) on those issues for which the Board has granted *inter partes* review, including:

1. Whether Petitioner has carried its burden of showing that claims 1-4 of U.S. Patent No. 8,992,608 (the “‘608 patent”) are unpatentable under 35 U.S.C. § 103 over Spenser and Elliot;

2. Whether Petitioner has carried its burden of showing that claims 1-4 of the ‘608 patent are unpatentable under 35 U.S.C. § 103 over Spenser and Thornton;

3. Whether Petitioner has carried its burden of showing that claims 1-4 of the ‘608 patent are unpatentable under 35 U.S.C. § 103 over Spenser and Cook; and

4. Whether Petitioner has carried its burden of establishing admissibility of the Declaration of Nigel P. Buller, M.D. (Ex. 1007) and Reply Declaration of Nigel P. Buller, M.D. (Ex. 1045).

Oral argument is currently scheduled for December 19, 2017. Patent Owner respectfully requests one hour for its argument regarding this proceeding.

Further, Patent Owner respectfully requests the ability to use audio/visual equipment at oral argument, including an Elmo, projector, and screen to display demonstratives and exhibits.

Dated: November 3, 2017

Respectfully submitted

/Jennifer A. Sklenar /

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## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing PATENT OWNER'S REQUEST FOR ORAL ARGUMENT PURSUANT TO 37 C.F.R. § 42.70 was served on November 3, 2017 to the following Counsel for Petitioner via e-mail:

<p>Gregory S. Cordrey (Reg. No. 44,089) Jeffer Mangels Butler &amp; Mitchell, LLP 3 Park Plaza, Suite 1100 Irvine, CA 926214 Email: gcordrey@jmbm.com Telephone: 949-623-7200 Facsimile: 949-623-7201</p>	<p>Brian Egan (Reg. No. 54,866) Morris, Nichols, Arsht &amp; Tunnell, LLP 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899-1347 Email: began@MNAT.com Telephone: 302-351-9454 Facsimile: 302-498-6216</p> <p>Catherine Nyarardy (Reg. No. 42,042) Paul, Weiss, Rifkind, Wharton &amp; Garrison, LLP 1285 Avenue of the Americas New York, NY 10019 Email: cnyarardy@paulweiss.com Telephone: 212-373-3532 Facsimile: 212-492-0532</p>
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