

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

BOSTON SCIENTIFIC SCIMED, INC.
Patent Owner

Case IPR2017-00060
Patent 8,992,608

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

PETITIONERS' REQUEST FOR ORAL ARGUMENT

Pursuant to the Board's March 29, 2017 Scheduling Order (Paper 8)

Petitioners respectfully request oral argument for the trial currently scheduled on December 19, 2017. Pursuant to 37 C.F.R. § 42.70, Petitioners request one hour of argument time on the following instituted grounds of unpatentability, and associated issues, without intent to waive consideration of any issue not requested:

- I. Whether Claims 1-4 of the '608 Patent (Ex. 1001) are Unpatentable Under 35 U.S.C. § 103(a) as obvious over Spenser (Ex. 1004) and Elliot (Ex. 1005)
- II. Whether Claims 1-4 of the '608 Patent (Ex. 1001) are Unpatentable Under 35 U.S.C. § 103(a) as obvious over Spenser (Ex. 1004) and Thornton (Ex. 1019)
- III. Whether Claims 1-4 of the '608 Patent (Ex. 1001) are Unpatentable Under 35 U.S.C. § 103(a) as obvious over Spenser (Ex. 1004) and Cook (Ex. 1006)

Petitioners request the use of audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen for a PowerPoint display. In accordance with the Trial Practice Guide, 77 Fed. Reg. at 48768, Petitioners will contact the Board Trial Division paralegal to discuss this request. Petitioners also expect that client representatives and litigation counsel for

the related, pending litigation are expected to attend the hearing. As a result, Petitioners request that the hearing be assigned to one of the larger conference rooms to accommodate a larger audience.

Dated: November 3, 2017

Respectfully Submitted,

/s/Gregory S. Cordrey
Gregory S. Cordrey, Esq. (Reg. No. 44,089)
Brian P. Egan, Esq. (Reg. No. 54,866)
Catherine Nyarady, Esq. (Reg. No. 42,042)
Attorney for Petitioners
Edwards Lifesciences Corporation,
Edwards Lifesciences LLC, and
Edwards Lifesciences AG

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on November 3, 2017, a complete and entire copy of **PETITIONERS' REQUEST FOR ORAL ARGUMENT** has been served in its entirety by e-mail on the following addresses of record for Patent Owner:

jennifer.sklenar@apks.com

wallace.wu@apks.com

marc.cohn@apks.com

matthew.wolf@apks.com

edward.han@apks.com

Dated: November 3, 2017

/s/Gregory S. Cordrey
Gregory S. Cordrey, Esq. (Reg. No. 44,089)
Attorney for Petitioners
Edwards Lifesciences Corporation,
Edwards Lifesciences LLC, and
Edwards Lifesciences AG