

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTUITIVE SURGICAL, INC.,
Petitioner,

v.

ETHICON LLC,
Patent Owner.

Case IPR2019-00880
U.S. Patent No. 7,490,749 B2

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70, Patent Owner Ethicon LLC respectfully submits this Request for Oral Argument. The Board has currently scheduled the oral hearing in IPR2019-00880 for July 9, 2020. Patent Owner specifies the following issues to be argued:

- Whether claims 1 and 3 of U.S. Patent No. 7,490,749 (the 749 Patent) are anticipated under 35 U.S.C. § 102 and/or rendered obvious under 35 U.S.C. § 103 by Shelton II (US 2006/0175375);
- Whether claims 1 and 3 of the 749 Patent are anticipated under 35 U.S.C. § 102 and/or rendered obvious under 35 U.S.C. § 103 by Swayze (US 2005/0178813);
- Whether claims 1 and 3 of the 749 Patent are anticipated under 35 U.S.C. § 102 by Shelton I (US 8,322,455);
- How the Petitioner has failed to carry its burden to establish that any of the claims of the 749 Patent are invalid over the prior art and that the challenged claims should be confirmed as patentable;
- Any other issue the Board deems necessary for issuing a final written decision.

Patent Owner requests forty-five minutes of time to address the issues identified above. To the extent the Board schedules the hearing to last more

than ninety minutes, however, Patent Owner requests that it be given half the length of the hearing to address these issues.

Patent Owner requests that ten spaces be reserved at the oral hearing to accommodate its counsel and corporate representatives.

Date: May 21, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 21, 2020, the foregoing
PATENT OWNER'S REQUEST FOR ORAL ARGUMENT was served via
electronic mail, upon the following:

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