

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DEXCOM, INC.,
Petitioner,

v.

ABBOTT DIABETES CARE INC.,
Patent Owner.

IPR2023-01409
Patent 11,202,591

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board’s Scheduling Order of April 15, 2024 (Paper 11), Petitioner Dexcom, Inc. respectfully requests oral argument, currently scheduled for January 14, 2025. Petitioner requests **60 minutes** for oral argument.

Pursuant to the Scheduling Order (Paper 11, 6) and the USPTO updated guidance on oral hearings (<https://www.uspto.gov/patents/ptab/hearings>), Petitioner requests an in-person hearing at the USPTO headquarters in Alexandria. Petitioner requests authorization to present demonstrative slides during oral argument.

Petitioner specifies, without waiving consideration of any issue not requested, the following issues to be argued:

- Ground 1: the obviousness of claims 1-6, 9-14, 16-24, 27, and 29-30 over Stafford and Cote;
- Ground 2: the obviousness of claims 4, 7-8, 14-15, and 19-30 over Stafford, Cote, and Say;
- Ground 3: the obviousness of claims 18, 21-24, 27, 29-30 over Stafford, Cote, and Brenneman;
- Ground 4: the obviousness of claims 9, 22-24, 27 and 29-30 over Stafford, Cote, and Shah;
- Ground 5: the obviousness of claims 21-30 over Stafford, Cote, Say, and Brenneman;

- Ground 6: the obviousness of claims 25-26 and 28 over Stafford, Cote, Say, and Shah;
- Ground 7: the obviousness of claims 22-24, 27, and 29-30 over Stafford, Cote, Brenneman, and Shah;
- Ground 8: the obviousness of claims 25-26, and 28 over Stafford, Cote, Say, Brenneman, and Shah;
- Proper constructions of the claim language;
- The objective indicia arguments raised by Patent Owner;
- Any issues raised by the Board or Patent Owner in oral argument;
- Any motions that remain pending at the time of the hearing.

Petitioner reserves the right to address any arguments presented by Patent Owner and any other issues about which the Board wishes to hear argument.

Respectfully submitted,

Dated: December 3, 2024

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CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6 (E)(4)

The undersigned certifies that on December 3, 2024, a complete copy of
PETITIONER'S REQUEST FOR ORAL ARGUMENT was served on
counsel for Patent Owner via electronic mail as follows:

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