UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Merck Sharp & Dohme LLC,
Petitioner,

v.

Halozyme Inc.,
Patent Owner.

PGR2025-00052
Patent No. 12,264,345

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70 and the Board's Scheduling Order (Paper 13), dated October 20, 2025, Petitioner Merck Sharp & Dohme LLC hereby respectfully requests oral argument in this proceeding on the grounds of unpatentability on which trial was instituted, and any additional issues on which the Board seeks clarification. The oral argument is currently scheduled for 1:30 PM on July 23, 2026. *See* Paper 23.

Petitioner has conferred with Patent Owner about argument time and structure. Petitioner respectfully requests (and Patent Owner agrees) that the issues in proceedings PGR2025-00017, PGR2025-00024, PGR2025-00030, PGR2025-00033, PGR2025-00039, PGR2025-00042, PGR2025-00046, PGR2025-00050, PGR2025-00052, and PGR2025-00053 should be heard together, as the arguments are substantially overlapping and the Board has set these proceedings for oral argument together. Petitioner also respectfully requests (and Patent Owner agrees) that each side be given a total of 90 minutes to present its arguments across all ten proceedings. Pursuant to the Scheduling Order, Petitioner request that oral argument be held at the USPTO headquarters in Alexandria, VA.

Petitioner proposes presenting its initial argument (up to 90 minutes), Patent Owner following with its response (up to 90 minutes), and Petitioner using any remaining time for rebuttal. Because Petitioner bears the ultimate burden of proof

that the claims at issue in this review are unpatentable, Petitioner would oppose any request by Patent Owner for a sur-rebuttal.

To the extent oral argument is held in person, Petitioner also respectfully requests permission to use audio/visual equipment to display demonstrative exhibits, for example, the use of a projector and screen that connects to a laptop computer.

Also, pursuant to the Scheduling Order, Petitioner advises that it anticipates that more than 5 individuals will attend the argument in person on its behalf, and therefore respectfully requests that the Board set the hearing to accommodate these additional attendees.

Dated: April 27, 2026

Respectfully submitted,

/Jeffrey P. Kushan/
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on this 27th day of April, 2026, I caused to be served a true and correct copy of Petitioner's Request for Oral Argument by electronic mail on the following counsel:

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Dated: April 27, 2026

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