

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCK SHARP & DOHME LLC,
Petitioner

v.

HALOZYME INC.,
Patent Owner

Case PGR2025-00053
U.S. Patent No. 12,195,773

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

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

Pursuant to the Board's November 20, 2025 Scheduling Order (Paper 23), Patent Owner Halozyne, Inc. ("Patent Owner") respectfully requests oral argument, currently scheduled for July 23, 2026. Patent Owner requests 90 minutes in which to present its arguments. Patent Owner understands that a single, consolidated hearing will be held for PGRs 2025-00017, 2025-00030, 2025-00024, 2025-00033, 2025-00039, 2025-00042, 2025-00046, 2025-00050, 2025-00053, and 2025-00052. Under 37 C.F.R. § 42.70, and without intending to waive any issue not specifically identified, Patent Owner specifies the following issues to be argued:

1. Whether claims 1–3 and 5–15 of U.S. Patent No. 12,195,773 ("the '773 Patent") are unpatentable as failing to satisfy the written description requirement under 35 U.S.C. § 112;
2. Whether claims 1–3 and 5–15 of the '773 Patent are unpatentable as failing to satisfy the enablement requirement under 35 U.S.C. § 112; and
3. Whether claims 1, 2, and 5–15 of the '773 Patent are unpatentable under 35 U.S.C. § 103 as obvious over the '429 patent and Chao;
4. Patent Owner's Motion to Terminate (Paper 37);
5. Whether this PGR should be terminated for Petitioner's failure to name all Real Parties-in-Interest;
6. Any issues specified by Petitioner in its Request for Oral Argument; and

7. Any other issues the Board deems necessary for issuing a final written decision (e.g., any motion to exclude evidence and any motion to seal evidence).

Patent Owner also requests that the Board provide audio-visual equipment to display demonstrative exhibits, including a projector and screen for displaying documents from a computer.

Further, Patent Owner requests that the hearing be held at the USPTO's Alexandria, Virginia office because that location will be more convenient, have simpler logistics, and be less costly for Patent Owner. Patent Owner notes that its counsel are located in the Washington, DC area.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Eldora L. Ellison/

Eldora L. Ellison, Ph.D.
Registration No. 39,967
Lead Counsel for Patent Owner

Date: April 27, 2026

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Washington, DC 20005
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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT** was served in its entirety on April 27, 2026, upon the following parties via electronic mail:

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Respectfully submitted,

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