

Hill, Kyle

From: Trials <Trials@USPTO.GOV>
Sent: Thursday, July 06, 2017 1:13 PM
To: Dorothy Whelan; Trials
Cc: IPR13351-0008IP1; IPR13351-0008IP2; IPR13351-0008IP3; IPR13351-0008IP4; IPR13351-0008IP5; IPR13351-0008IP6; Rosato, Michael; Parmelee, Steve; Mills, Jad; Devine, Wendy; GSpeier@carlsoncaspers.com; 'MSchuman@carlsoncaspers.com'; mdzwonczyk@sughrue.com; 'tribar@sughrue.com'; 'Azy S. Kokabi (akokabi@sughrue.com)' (akokabi@sughrue.com); Michael Kane; Jonathan Singer; Susan Morrison; Tasha Francis
Subject: RE: IPR2016-01127; IPR2016-01128; IPR2016-01129; IPR2016-01130; IPR2016-01131; IPR2016-01132

Counsel,

We grant Patent Owner's request to file a surreply to each of Petitioner's replies in IPR2016-01127, IPR2016-01128, IPR2016-01129, IPR2016-01130, IPR2016-01131, and IPR2016-01132. Patent Owner's surreply in each case is limited to 15 pages and due July 14, 2017.

Regards,

Andrew Kellogg,
Supervisory Paralegal
Patent Trial and Appeal Board
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From: Dorothy Whelan [<mailto:whelan@fr.com>]
Sent: Monday, July 03, 2017 1:25 PM
To: Trials <Trials@USPTO.GOV>
Cc: IPR13351-0008IP1 <IPR13351-0008IP1@fr.com>; IPR13351-0008IP2 <IPR13351-0008IP2@fr.com>; IPR13351-0008IP3 <IPR13351-0008IP3@fr.com>; IPR13351-0008IP4 <IPR13351-0008IP4@fr.com>; IPR13351-0008IP5 <IPR13351-0008IP5@fr.com>; IPR13351-0008IP6 <IPR13351-0008IP6@fr.com>; mrosato@wsgr.com; Parmelee, Steve <sparmelee@wsgr.com>; Mills, Jad <jmills@wsgr.com>; wdevine@wsgr.com; GSpeier@carlsoncaspers.com; 'MSchuman@carlsoncaspers.com' <mschuman@carlsoncaspers.com>; mdzwonczyk@sughrue.com; 'tribar@sughrue.com' <tribar@sughrue.com>; 'Azy S. Kokabi (akokabi@sughrue.com)' (akokabi@sughrue.com) <akokabi@sughrue.com>; Michael Kane <kane@fr.com>; Jonathan Singer <singer@fr.com>; Susan Morrison <morrison@fr.com>; Tasha Francis <tfrancis@fr.com>
Subject: IPR2016-01127; IPR2016-01128; IPR2016-01129; IPR2016-01130; IPR2016-01131; IPR2016-01132

Dear Board:

Patent Owner requests a teleconference for the purpose of seeking leave to file a surreply or, in the alternative, a motion to strike regarding Petitioner's reply briefs and supporting papers filed on June 30, 2017. The papers include 3 new declarations, as well as over 100 new exhibits, and introduce new arguments, thereby exceeding the proper scope

of a reply. Absent a surreply, Patent Owner lacks a full and fair opportunity to respond to the new material. Petitioner's replies also mischaracterize deposition testimony.

Patent Owner is available July 5, 6, and 7 for a teleconference.

Regards,
Dorothy Whelan
Counsel for Patent Owner

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