
From: McKeown, Scott <Scott.McKeown@ropesgray.com>
Sent: Friday, June 19, 2020 12:21 AM
To: Trials
Cc: 'Joe Edell'; Rowland, Mark D.; Radsch, Andrew; Batchelder, James R.; Adam Allgood; 'Allan Bullwinkel'; Michael Heim
Subject: IPR2020-00335-00338 & IPR2020-00485-00486

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In view of the recent precedential designation in *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (March 20, 2020), and its relevance to Patent Owner's arguments in its Patent Owner's Preliminary Responses in IPR2020-00335, -00336, -00337, -00338, -00339, -00485, and -00486, Petitioners seek authorization from the assigned panel to file a 10-page reply addressing the new precedential factors to be applied to these cases. As these factors were made precedential after each petition was filed, they could not have been addressed earlier, or applied to present district court developments.

Petitioners have conferred with Patent Owner's counsel. Patent Owner stated that it will not oppose a request for a 10-page reply to specifically address the new precedent so long as Petitioners will not oppose Patent Owner being granted leave to file a 10-page sur-reply to address arguments raised in the reply. Petitioners agreed to the Patent Owner's proposal. However, Petitioners also indicated that they at least intended to submit litigation scheduling and hearing transcript documents as exhibits to demonstrate factual inaccuracies of the POPRs. Patent Owner would not agree to the Petitioners supporting their Reply with exhibits from the litigation.

Petitioners request a conference call to resolve the issues, the parties have conferred and are available June 22 (10am-2pm ET), June 24 (10am-2pm ET), and June 25 (10am-2pm ET).

Counsel for Petitioner Palo Alto Networks (Counsel for Juniper Networks Inc. joins in this request)

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IPR202-00335 -00336 -00337 -00485