
From: USPTO Trials
Sent: Tuesday, December 29, 2020 12:32 PM
To: Robinson, Eagle; USPTO Trials
Cc: Theodoros Konstantakopoulos; Yung-Hoon (Sam) Ha; Christian Dorman; Jonas McDavit; Jordan Malz; Ryan Thorne; Michael Wueste; Zembek, Richard; Leventhal, Daniel; Jennings, Cathie
Subject: [Ext] RE: IPR2020-01491, -01492, -01493 | Joint Request for Preliminary Replies & Sur-replies

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Counsel: The parties' requested briefing in each of IPR2020-01491, -01492, and -01493 is authorized. Petitioner's Preliminary Replies in each of these cases are due by January 11, 2021, and Patent Owner's Preliminary Sur-Replies to the same are due by January 19, 2021.

Thank you,

Maria King
Deputy Chief Clerk for Trials
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
703-756-1288

From: Robinson, Eagle <eagle.robinson@nortonrosefulbright.com>
Sent: Wednesday, December 23, 2020 3:04 PM
To: Trials <Trials@USPTO.GOV>
Cc: Theodoros Konstantakopoulos <TKonstantakopoulos@desmaraisllp.com>; Yung-Hoon (Sam) Ha <YHa@desmaraisllp.com>; Christian Dorman <CDorman@desmaraisllp.com>; Jonas McDavit <JMcDavit@desmaraisllp.com>; Jordan Malz <JMalz@desmaraisllp.com>; Ryan Thorne <RThorne@desmaraisllp.com>; Michael Wueste <MWueste@desmaraisllp.com>; Zembek, Richard <richard.zembek@nortonrosefulbright.com>; Leventhal, Daniel <daniel.leventhal@nortonrosefulbright.com>; Jennings, Cathie <cathie.jennings@nortonrosefulbright.com>; Robinson, Eagle <eagle.robinson@nortonrosefulbright.com>
Subject: IPR2020-01491, -01492, -01493 | Joint Request for Preliminary Replies & Sur-replies

Dear Board –

Petitioner and Patent Owner jointly request leave to file preliminary replies and sur-replies to Patent Owner's Preliminary Responses in IPR2020-01491, -01492, and -01493, as follows:

IPR2020-01491: 5 pages (for each of a reply and sur-reply) to address under:

- §314(a) and *General Plastics* in view of IPR2020-00990, Patent Owner's arguments about the relationship between Petitioner and the prior petitioner (AMD); and

- §325(d) and *Becton, Dickinson* in view of IPR2020-00990, Patent Owner's arguments about Petitioner's art and evidence, and the status of AMD's prior petition.

IPR2020-01492: 3 pages (for each of a reply and sur-reply) to address under:

- §314(a) and *General Plastics* in view of IPR2020-00995, Patent Owner's arguments about the relationship between Petitioner and the prior petitioner (AMD); and

IPR2020-01493: 5 pages (for each of a reply and sur-reply) to address under:

- §314(a) and *General Plastics* in view of IPR2020-00989, Patent Owner's arguments about the relationship between Petitioner and the prior petitioner (AMD); and
- §325(d) and *Becton, Dickinson* in view of IPR2020-00989 and the original prosecution history, Patent Owner's arguments about the Petitioner's art and evidence, and the status of AMD's prior petition.

After conferring, the parties have agreed not to oppose each other's requests for preliminary replies and sur-replies, and to instead make this request jointly.

If a call is needed, counsel for the parties are generally available Tuesday (December 29) and Wednesday (December 30).

Respectfully,

Eagle Robinson
Lead Counsel for Petitioner

Theodoros Konstantakopoulos
Lead Counsel for Patent Owner

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