

## Sung, Lawrence

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**From:** Sung, Lawrence  
**Sent:** Thursday, November 5, 2020 3:23 PM  
**To:** Trials  
**Cc:** 'Tucker, Todd'; JReulbach@calfee.com; Deighan, Kyle; Teresa Summers (tsummers@wiley.law)  
**Subject:** IPR2020-01573  
**Attachments:** scan.pdf

Dear PTAB:

On October 30, 2020, Patent Owner filed its Motion for Additional Discovery as authorized by the Board. Yesterday, however, Petitioner and the University of Colorado (which Patent Owner asserts is a real party in interest) jointly sued Patent Owner in the Western District of Washington district court alleging infringement of University's patent by Patent Owner's commercial products, which compete with Petitioner's KDB (a copy of Petitioner/University's complaint is attached). Patent Owner respectfully submits that this new, additional information should be included in the Board's consideration of Patent Owner's Motion. Thank you.

Lawrence



Lawrence M. Sung, Ph.D.  
Attorney at Law  
[lsung@wiley.law](mailto:lsung@wiley.law)

Wiley Rein LLP • 1776 K Street NW • Washington, DC 20006  
o: 202.719.4181  
[Download V-Card](#) | [wiley.law](http://wiley.law) | [Bio](#)

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