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**From:** Danek, Brenda (CH)  
**Sent:** Friday, January 29, 2021 7:06 AM  
**To:** RJRITC1199; sarah.sladic@usitc.gov  
**Cc:** #C-M PMIITC - LW TEAM  
**Subject:** Inv. 337-TA-1199 - Meet and confer

Counsel,

To memorialize this morning's meet and confer:

Respondents have narrowed their invalidity case in the interest of time and minimizing the number of issues presented at trial. Below are the list of arguments that we intended to proceed on:

'238 Patent

- Cohen
- Newton
- Lack of written description

'915 Patent

- Accord K
- Accord JLI
- Lack of written description

'123 Patent

- Morgan + Knowledge of a POSA, as evidenced by Counts-962, Adams, Park, and testimony from Burton/Accord Team and Mr. Flolid regarding the state of the art

We also confirmed that we are only presenting invalidity challenges to the asserted claims of the '123 patent.

We look forward to your response to the bench memo that Clem discussed in the next hour or so and let us know if you would like to have another call on anything during lunch.

Best regards,  
Brenda

**Brenda L. Danek**

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