

**From:** [Trials](#)  
**To:** [Jeremy Monaldo](#); [Trials](#)  
**Cc:** [QE-Alivecor](#); [Drew Holmes](#); [Michael Kim](#); [IPR50095-0033IP1](#); [Quincy Lu](#); [Jim Glass](#)  
**Subject:** RE: IPR2021-00970, IPR2021-00971, IPR2021-00972 – Reply to Preliminary Response  
**Date:** Tuesday, October 12, 2021 5:15:35 PM

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Counsel: Petitioner is authorized to file a 5-page Reply to the discretionary denial arguments advanced in Patent Owner’s Preliminary Response in each of IPR2021-00970, IPR2021-00971, and IPR2021-00972. Petitioner’s Reply shall be limited to addressing developments in the co-pending ITC case that occurred after the filing of the Petition and shall be filed no later than October 25, 2021.

Patent Owner is authorized to file a 5-page Sur-Reply responding to Petitioner’s Reply. Patent Owner’s Sur-Reply shall be limited to addressing issues raised in Petitioner’s Reply and shall be filed no later than November 8, 2021.

Thank you,

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

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**From:** Jeremy Monaldo <Monaldo@fr.com>  
**Sent:** Tuesday, October 12, 2021 1:13 PM  
**To:** Trials <Trials@USPTO.GOV>  
**Cc:** QE-Alivecor <qe-alivecor@quinnemanuel.com>; Drew Holmes <drewholmes@quinnemanuel.com>; Michael Kim <michaelkim@quinnemanuel.com>; IPR50095-0033IP1 <IPR50095-0033IP1@fr.com>; Quincy Lu <quincylu@quinnemanuel.com>; Jim Glass <jimglass@quinnemanuel.com>  
**Subject:** IPR2021-00970, IPR2021-00971, IPR2021-00972 – Reply to Preliminary Response

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Your Honors,

Petitioner requests authorization to file a 5-page reply to the discretionary denial arguments advanced in the preliminary response in each of IPR2021-00970, IPR2021-00971, and IPR2021-00972. Good cause exists for a reply because each preliminary response addresses developments in the co-pending ITC case that occurred after petition filing.

Patent Owner opposes the request because the grounds identified do not constitute good cause for additional briefing. If Petitioner’s request is granted, Patent Owner requests a surreply of equal length and timing. Petitioner does not oppose a surreply of equal length and timing.

Respectfully submitted,  
Jeremy

**Jeremy Monaldo :: Principal :: Fish & Richardson P.C.**  
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