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**To:** [Kim Leung](#); [Trials](#)  
**Cc:** [IPR50095-0045IP1](#); [IPR50095-0045IP3](#); [AppleIPR745-1](#); [AppleIPR745-3](#); [Nicholas Stephens](#); [AXF-PTAB](#); [Andrew Patrick](#); [Rick Bisenius](#); [Patrick King](#); [Daniel Kiang](#)  
**Subject:** RE: IPR2022-01291, IPR2022-01465 - Petitioner's Response to Expert Testimony  
**Date:** Tuesday, October 24, 2023 9:30:22 AM

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Counsel,

From the Board –

Petitioner's request for an increase in the page limit for the Response to Expert Testimony is *denied*. The Board has reviewed the Patent Owner Sur-reply (Paper 49) and Witness Declaration (Ex. 2100) filed on October 2, 2023, and concluded that 10 pages is a sufficient allotment for Petitioner to respond. No conference is necessary.

Regards,

Esther Goldschlager  
Supervisory Paralegal Specialist  
Patent Trial & Appeal Board  
U.S. Patent & Trademark Office

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**From:** Kim Leung <Leung@fr.com>  
**Sent:** Monday, October 23, 2023 5:56 PM  
**To:** Trials <Trials@USPTO.GOV>  
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**Subject:** RE: IPR2022-01291, IPR2022-01465 - Petitioner's Response to Expert Testimony

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Your Honors,

As noted in the Board's order from September 28, Petitioner reserved the right to seek an increase of the page limitation for the Response to Expert Testimony after Petitioner has had a chance to review Patent Owner's Sur-reply and accompanying declaration from Dr. Duckworth. Accordingly, Petitioner respectfully requests authorization to increase the page limitation from 10 pages to 15 pages given the length of Dr. Duckworth's declaration (77 pages) and the number of issues addressed.

Patent Owner indicates that it opposes Petitioner's request for a 50% increase in page limit for the Response to Expert Testimony because Petitioner has not shown good cause for the increase since the Sur-Reply was within the 5,600 word limit, Dr. Duckworth's Sur-Reply declaration was substantially shorter than the corresponding Reply declaration, and no additional exhibits were introduced.

Should the Board desire a conference call, the parties are available during the following times:  
Tuesday 10/24: 3:30pm-5pm ET  
Thursday 10/26: 12pm-5pm ET

Best Regards,  
Kim

**Kim Leung** :: Of Counsel :: Fish & Richardson P.C.  
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