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To: Trials <Trials@USPTO.GOV>

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Subject: IPR2023-00104: Unopposed request for Preliminary Replies and Sur-replies

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Dear Honorable Board,

Patent Owner filed its POPR in IPR2023-00104 on February 21, 2023. Petitioner seeks authorization to file a preliminary reply to this POPR. Specifically, Petitioner seeks authorization to file a 5-page paper responding to Patent Owner's arguments for discretionary denial under 35 U.S.C. §325(d) and §314. Petitioner intends to address Patent Owner's arguments presented under these statutes, and also address Patent Owner's application of the *Advanced Bionics*, *General Plastic*, and *Fintiv* precedent to the facts. Petitioner's paper intends to address discretionary issues and factors applied in the controlling case-law, but will not introduce new evidence in support of its preliminary reply.

Petitioner and Patent Owner further agree to Patent Owner filing a 5-page sur-reply due seven days (or more as the Board directs) after Petitioner's paper is filed.

Counsel for Patent Owner is copied on this email and does not oppose this request.

Thank you,
Ben Haber,
Counsel for Petitioner, LG.

IPR2023-00104