

From: [Rowland, Clarence](#)
To: [Trials](#)
Cc: [Michael Shanahan](#); [Omar J. Johnny](#); [Scott H. Kaliko](#); ["AMoon@winstead.com"](#); [Fink, Tim](#); [Almeling, David](#); [Liang, Mark](#); [Haber, Ben](#)
Subject: IPR2023-00104: Partly opposed request to submit district court documents
Date: Friday, April 28, 2023 3:26:31 PM

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Dear Honorable Board,

Patent Owner filed its POPR in IPR2023-00104 on February 21, 2023. Petitioner requests authorization to file various recent and relevant documents from a parallel district court litigation between Patent Owner and Petitioner. Specifically, Petitioner seeks authorization to file (1) the transcript from the recent claim construction hearing (“transcript”) (2) the tentative order from the recent claim construction hearing (“tentative construction”), and (3) the April 20, 2023 Joint Motion to Amend the Docket Control Order and the proposed order to that motion (“DCO and motion”). Petitioner also intends to seek permission to provide a 2-page paper briefly stating the relevance of each of those items to Patent Owner’s arguments for discretionary denial under 35 U.S.C. §325(d) and §314. Petitioner will not oppose Patent Owner being granted a response paper of equal length.

Counsel for Patent Owner is copied on this request and opposes submission of the transcript and tentative constructions as premature. Patent Owner does not oppose submission of the DCO and a 1–2 page paper explaining the relevance of the DCO and motion with a reciprocal reply granted to Patent Owner. The parties are available on Wednesday May 3rd 3 PM – 5 PM EST and Thursday and Friday May 4th and 5th 12 PM - 5 PM EST for a conference call, should the Board find one helpful.

Thank you
Clarence Rowland,
Counsel for Petitioner, LG

O’Melveny

Clarence A. Rowland
CRowland@omm.com
O: +1-213-430-7245

O’Melveny & Myers LLP
400 South Hope Street, 18th
Floor
Los Angeles, CA 90071
[Website](#) | [LinkedIn](#) | [Twitter](#)

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