

Diana Bradley

From: Trials <Trials@USPTO.GOV>
Sent: Wednesday, November 15, 2023 8:46 AM
To: John Phillips; Trials
Cc: PGR54598-0001PS1; DLA-Crusoe-Upstream-PGR@us.dlapiper.com; Jay Zhu; robbie@nissenlaw.ca; Clayton Thompson; jim.heintz@us.dlapiper.com
Subject: RE: PGR2023-00039 - request for teleconference

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Counsel,

From the Board –

There is no need for a call at this time.

Petitioner is authorized to file a 5-page reply to Patent Owner's Preliminary Response (POPR). The reply is limited to responding to the arguments in the POPR concerning discretionary denial issues under 35 U.S.C. § 325(d). The reply is due by November 22, 2023. Patent Owner is authorized to file a 5-page sur-reply responsive to Petitioner's reply. The sur-reply is due by November 29, 2023.

Regards,

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

From: John Phillips <phillips@fr.com>
Sent: Monday, November 13, 2023 5:36 PM
To: Trials <Trials@USPTO.GOV>
Cc: PGR54598-0001PS1 <PGR54598-0001PS1@fr.com>; DLA-Crusoe-Upstream-PGR@us.dlapiper.com; Jay Zhu <jzhu@fr.com>; robbie@nissenlaw.ca; Clayton Thompson <clayton.thompson@us.dlapiper.com>; jim.heintz@us.dlapiper.com
Subject: RE: PGR2023-00039 - request for teleconference

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Your Honors,

Petitioner seeks authorization to file a supplemental reply to address discretionary denial issues under 35 USC 325(d). Patent Owner objects to this request.

The parties are available for a teleconference with the Board at the following time:

Wednesday 11/15: 2:30-5:00pm Eastern

If the Board is not available at the above-indicated date/time, the parties will confer and provide one or more additional dates / times.

Petitioner will arrange for a court reporter to participate in the call.

Respectfully,
John Phillips
Counsel for Petitioner

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