

From: Robinson, Eagle <eagle.robinson@nortonrosefulbright.com>
Sent: Monday, August 27, 2018 12:23 PM
To: Trials <Trials@USPTO.GOV>
Cc: 'Bajaj, Raghav' <Raghav.Bajaj@haynesboone.com>; McCombs, David L. <David.McCombs@haynesboone.com>; Foster, Theo <Theo.Foster@haynesboone.com>; SMehta@durietangri.com; Huh, Gregory <Gregory.Huh@haynesboone.com>; McDole, Jamie <Jamie.McDole@haynesboone.com>; Hall, Eric <eric.hall@nortonrosefulbright.com>; Green, Eric <eric.green@nortonrosefulbright.com>; Robinson, Eagle <eagle.robinson@nortonrosefulbright.com>; Jennings, Cathie <cathie.jennings@nortonrosefulbright.com>
Subject: Request for call re Sur-replies in IPR2017-00829, -00830

Dear Board –

Patent Owner respectfully seeks authorization to file Sur-replies in the above-referenced IPRs in lieu of Observations on cross-examination, which are due September 14 pursuant to the most-recent Scheduling Order. Patent Owner does not seek any change in that due date.

Patent Owner believes this request (1) is consistent with the Board's recent Trial Practice Guide Update providing for sur-replies to principal briefs as a matter of right, and (2) is also appropriate to afford Patent Owner an opportunity to address new evidence and new arguments first raised in Petitioner's recent Replies.

Petitioner opposes this request.

If necessary, the parties are available for a conference call at the following times:

- Tuesday, August 28 from 2-6 pm EST; or
- Wednesday, August 29 any time.

Respectfully,

Eagle Robinson
Lead counsel for Patent Owner

Eagle Robinson | Partner
Norton Rose Fulbright US LLP
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From: Robinson, Eagle

Sent: Monday, August 27, 2018 11:23 AM

To: 'Trials' <Trials@USPTO.GOV>

Cc: 'Todd M. Siegel' <todd.siegel@klarquist.com>; Rob T. Cruzen <rob.cruzen@klarquist.com>; Toni R. Kammers <toni.kammers@klarquist.com>; Robinson, Eagle <eagle.robinson@nortonrosefulbright.com>; Jennings, Cathie <cathie.jennings@nortonrosefulbright.com>

Subject: Request for call re Sur-replies in IPR2017-01131, -01133

Dear Board –

Patent Owner respectfully seeks authorization to file Sur-replies in the above-referenced IPRs in lieu of Observations on cross-examination, which are due September 14 pursuant to the most-recent Scheduling Order. Patent Owner does not seek any change in that due date.

Patent Owner believes this request (1) is consistent with the Board's recent Trial Practice Guide Update providing for sur-replies to principal briefs as a matter of right, and (2) is also appropriate to afford Patent Owner an opportunity to address new evidence and new arguments first raised in Petitioner's recent Replies.

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