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Sent: Thursday, February 10, 2022 12:03 PM
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Subject: IPR2022-00004, -00005 - Pre-Institution Reply

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Your Honors,

Petitioner respectfully requests authorization to file pre-institution replies to Patent Owner's preliminary responses in IPR2022-00004, and IPR2022-00005 involving RE47,049 and RE48,371. Specifically, Petitioner requests 5-page replies to respond to Patent Owner's arguments that (a) the Petition has not shown that the Briere prior art reference is a printed publication, and (b) the Briere prior art reference teaches away from using a DSP. In support of its response to argument (a), Petitioner intends to submit a declaration from Simon Briere, a co-author of the Briere prior art reference, to demonstrate its public availability. Petitioner does not object to Patent Owner submitting sur-replies of equal length. Petitioner has conferred with Patent Owner's counsel, who has indicated that Patent Owner opposes Petitioner's request.

To the extent the Board desires a conference call to discuss Petitioner's request, the parties will jointly provide their availability at the Board's request.

Respectfully submitted,

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