

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CALA HEALTH, INC.,
Petitioner,

v.

EMKINETICS INC.,
Patent Owner.

Case IPR2023-00508
U.S. Patent No. 9,757,584

**PATENT OWNER EMKINETICS INC.'S
ELECTION TO WAIVE THE PATENT OWNER PRELIMINARY
RESPONSE PURSUANT TO 37 C.F.R. § 42.107(B)**

Pursuant to 37 C.F.R. § 42.107(b), Patent Owner, EMKinetics Inc., hereby submits to the Board that it elects to waive the patent owner preliminary response. Patent Owner understands that “[n]o adverse inference will be taken by such an election.” Patent Trial and Appeal Board Consolidated Trial Practice Guide November 2019.

Date: May 8, 2023

Respectfully submitted,

/Douglas Carsten/

Douglas Carsten, Lead Counsel

Registration No. 43,534

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that on May 8, 2023, a complete copy of the foregoing document was served upon the following by ELECTRONIC MAIL:

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