

From: [Trials](#)
To: [Price, Jeffrey H.](#); [Miller, Tiffany](#); [Trials](#)
Cc: [Hannah, James](#); [Fuller, Jenna](#); [Eng, Jeffrey](#); [Heintz, James M.](#); [Sikorski, Ed](#)
Subject: RE: IPR2023-00565 - Authorization for supplemental paper
Date: Wednesday, August 16, 2023 3:16:00 PM
Attachments: [image001.png](#)

Counsel,

The Board denies Petitioner's request for submitting a supplemental paper at this time. In the event the Board determines that briefing on the subject matter outlined in the email communications below would be beneficial to us in reaching our decision, we will reach out to the parties to determine a schedule for submitting such information.

Regards,

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

From: Price, Jeffrey H. <JPrice@KRAMERLEVIN.com>
Sent: Wednesday, August 16, 2023 2:03 PM
To: Miller, Tiffany <tiffany.miller@us.dlapiper.com>; Trials <Trials@USPTO.GOV>
Cc: Hannah, James <JHannah@KRAMERLEVIN.com>; Fuller, Jenna <JFuller@KRAMERLEVIN.com>; Eng, Jeffrey <JEng@KRAMERLEVIN.com>; Heintz, James M. <Jim.Heintz@us.dlapiper.com>; Sikorski, Ed <Ed.Sikorski@us.dlapiper.com>
Subject: RE: IPR2023-00565 - Authorization for supplemental paper

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Your Honors,

Petitioner's counsel misstates Patent Owner's position, which was presented in the attached email communication with Petitioner's counsel.

Patent Owner believes that the Director's resolution of the *Vector Flow* decision will be sufficient to address Patent Owner's argument about Judge Williams' projected time to trial. However, if the Board is inclined to grant Petitioner additional briefing—and particularly the opportunity to submit additional evidence with a Preliminary Sur-Sur-Reply—Patent Owner respectfully requests a Sur-Sur-Sur Reply to address such new arguments and evidence.

Best regards,
Jeff Price
Counsel for Patent Owner

Jeffrey H. Price
Special Counsel

Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas, New York, New York 10036
T 212.715.7502 F 212.715.8302

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

From: Miller, Tiffany <tiffany.miller@us.dlapiper.com>
Sent: Wednesday, August 16, 2023 1:05 PM
To: Trials <Trials@USPTO.GOV>
Cc: Price, Jeffrey H. <JPrice@KRAMERLEVIN.com>; Hannah, James <JHannah@KRAMERLEVIN.com>; Fuller, Jenna <JFuller@KRAMERLEVIN.com>; Eng, Jeffrey <JEng@KRAMERLEVIN.com>; Heintz, James M. <Jim.Heintz@us.dlapiper.com>; Sikorski, Ed <Ed.Sikorski@us.dlapiper.com>
Subject: [EXTERNAL] IPR2023-00565 - Authorization for supplemental paper

Dear Honorable Board,

Petitioner requests authorization to file a two page supplemental paper (1) addressing the *Vector Flow, Inc. v. HID Global Corp.*, IPR2023-00353, Paper 8 decision relied on in Patent Owner's sur-reply at page 5 that was recently vacated by Director Vidal (Paper 11) on August 10, 2023 (after both parties' reply paper submissions), and (2) responding to Patent Owner's new argument in its sur-reply about Judge Williams' purported time to trial statistics, along with submission of additional evidence of case assignment information.

The parties have conferred, and Petitioner does not object to Patent Owner's request for a reply to Petitioner's supplemental submission.

Best regards,
Tiffany Miller

Tiffany Miller
Partner

T +1 619 699 3445
F +1 619 764 6745
M +1 619 972 8685
tiffany.miller@us.dlapiper.com

DLA Piper LLP (US)
4365 Executive Drive
Suite 1100
San Diego, CA 92121-2133



dlapiper.com

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to postmaster@dlapiper.com. Thank you.