

From: [Trials](#)
To: [Brent Ray](#)
Cc: [Abby Parsons](#); [Jen Miller](#); [David Conrad](#); [Lance Wyatt](#); [Casey Kraning](#); [Trials](#)
Subject: RE: IPR2023-00695 - Leave to File Sur-Reply Out of Time
Date: Friday, August 11, 2023 10:41:02 AM
Attachments: [image001.png](#)

Counsel,

From the Board –

Patent Owner is authorized to file a motion for leave to file its sur-reply out of time. The motion is limited to three pages and should be accompanied by a declaration and supporting evidence from Patent Owner's counsel who was responsible for filing the sur-reply. Patent Owner is not authorized to submit its proposed sur-reply with the motion seeking leave to file the sur-reply.

Petitioner is authorized to file an opposition to the motion, limited to three pages. Petitioner's opposition shall be filed no later than five business days after the filing of Patent Owner's motion.

Regards,

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

From: Brent Ray <bray@kslaw.com>
Sent: Friday, August 11, 2023 7:25 AM
To: Trials <Trials@USPTO.GOV>
Cc: Abby Parsons <AParsons@KSLAW.com>; Jen Miller <jamiller@kslaw.com>; David Conrad <conrad@fr.com>; Lance Wyatt <wyatt@fr.com>; Casey Kraning <Kraning@fr.com>
Subject: IPR2023-00695 - Leave to File Sur-Reply Out of Time

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Your honors:

It has come to our attention that Patent Owner inadvertently failed to timely submit its sur-reply in support of its POPR in the above-captioned proceeding. Patent Owner seeks authorization to file a motion for leave to file its sur-reply out of time, along with the sur-reply itself.

Counsel for Petitioners opposes this request.

Thank you.



Brent P. Ray

Partner

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