



RE: IPR2023-00891: Netflix, Inc. v. VL Collective IP LLC - ('794 Patent)

From Trials <Trials@USPTO.GOV>

Date Mon 6/24/2024 8:20 AM

To Naveed Hasan <nhasan@reichmanjorgensen.com>; Trials <Trials@USPTO.GOV>

Cc RJ_VideoLabs-Netflix <RJ_VideoLabs-Netflix@reichmanjorgensen.com>; Carrano, Aliza George <ACarrano@willkie.com>; imukerji@willkie.com <IMukerji@willkie.com>; smarshall@willkie.com <SMarshall@willkie.com>; netflix-vl_wfg@willkie.com <Netflix-VL_WFG@willkie.com>

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Counsel,

The Board grants Patent Owner's request to file a Reply to Petitioner's Opposition to the Motion to Terminate. The Board authorizes such a Reply of no more than three pages due on or before 6/27/24. The Board denies the request for an oral argument on the Motion to Terminate.

Regards,

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

From: Naveed Hasan <nhasan@reichmanjorgensen.com>

Sent: Thursday, June 20, 2024 12:51 PM

To: Trials <Trials@USPTO.GOV>

Cc: RJ_VideoLabs-Netflix <RJ_VideoLabs-Netflix@reichmanjorgensen.com>; Carrano, Aliza George <ACarrano@willkie.com>; imukerji@willkie.com; smarshall@willkie.com; netflix-vl_wfg@willkie.com

Subject: IPR2023-00891: Netflix, Inc. v. VL Collective IP LLC - ('794 Patent)

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Your Honors,

Patent Owner seeks authorization to file a Reply in support of its Motion to Terminate in IPR2023-00891. 37 CFR § 42.23. Patent Owner's Motion to Terminate involves many complicated, fact intensive issues and complex legal issues. Further, Petitioner's opposition contains legal arguments and factual assertions that Patent Owner has not had an opportunity to address, in part due to the page limitation for Patent Owner's motion. Patent Owner therefore requests the opportunity to submit a 5-page Reply to Petitioner's Opposition. Patent Owner also reiterates its request for oral argument on its Motion to Terminate. Paper 33 at 1.

Patent Owner and Petitioner can be available for a call this week if the Board would like to discuss this request.

Petitioner's Position

Petitioner opposes Patent Owner's request to file a Reply in support of its Motion to Terminate. First, Patent Owner specifically requested a Reply during our May 21, 2024 conference call ("May 21 Conference"), and the Board denied it. Second, there's no basis for Patent Owner to have a reply. Petitioner's opposition is consistent with the arguments it made in prior briefing and during the May 21 Conference. Accordingly, no additional briefing is warranted.

Regarding Patent Owner's request for oral argument on its Motion to Terminate, the parties already gave the Board its positions in its papers, and Petitioner's position remains the same, which is to the extent the Board would find it helpful to hear arguments on this issue, then Petitioner requests that such arguments be held in advance of the October 10, 2024 hearing.

If needed, the parties are available for a conference call during the following times:

- Friday, June 21: 1 – 2:30 pm ET
- Tuesday, June 25: 1 -3 pm ET
- Wednesday, June 26: 11:30 am – 1:30 pm ET

Best Regards,

Naveed S Hasan

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