

From: Trials

Sent: Monday, August 5, 2024 1:06 PM

To: Robinson, Erick; Trials

Cc: patdunn64@gmail.com; Dunn, Patrick; mbrockhaus@dunlapcoddling.com; Allee, J. Lori; dsorocco@dunlapcoddling.com; ayap@mofo.com; marjomand@mofo.com; bblumen@mofo.com; Sony-Quantum-IPR@mofo.com; Tuttle, Kevin; Rafatijo, Homayoon; robinson.erick; Quantumimaging

Subject: RE: IPR2023-00954: Patent Owner's Request for Permission to File Rebuttal Evidence with Sur-Reply

Counsel, From the Board –

Patent Owner is authorized to file a corrected Sur-reply and exhibit list that Patent Owner initially intended to file on July 8. The corrected Sur-reply shall not include footnotes explaining what was eliminated for appellate purposes. The originally filed Sur-reply will not be expunged, preserving a complete record for appeal.

Regards,

Esther Goldschlager

Supervisory Paralegal Specialist

Patent Trial & Appeal Board

U.S. Patent & Trademark Office

From: Robinson, Erick <erobinson@spencerfane.com>

Sent: Monday, July 8, 2024 9:31 PM

To: Trials <Trials@USPTO.GOV>

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Subject: Re: IPR2023-00954: Patent Owner's Request for Permission to File Rebuttal Evidence with Sur-Reply

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Dear Honorable Board,

Upon further comment from my non-hurricane-ravaged colleagues, PO respectfully requests the entire sur-reply (Paper 35) to be expunged. If allowed, we will provide a corrected sur-reply and exhibit list immediately to eliminate any reference to Ex. 2015.

Apologies for the confusion and thank you for your consideration.

Best regards,

Erick Robinson

Exhibit 3006

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From: Robinson, Erick <erobinson@spencerfane.com>
Sent: Monday, July 8, 2024 8:21:59 PM
To: Trials@uspto.gov <Trials@uspto.gov>
Cc: patdunn64@gmail.com <patdunn64@gmail.com>; Dunn, Patrick <pdunn@spencerfane.com>; mbrockhaus@dunlapcoddling.com <mbrockhaus@dunlapcoddling.com>; Allee, J. Lori <JAllee@spencerfane.com>; dsorocco@dunlapcoddling.com <dsorocco@dunlapcoddling.com>; ayap@mofo.com <ayap@mofo.com>; marjomand@mofo.com <marjomand@mofo.com>; bblumen@mofo.com <bblumen@mofo.com>; Sony-Quantum-IPR@mofo.com <Sony-Quantum-IPR@mofo.com>; Tuttle, Kevin <ktuttle@spencerfane.com>; Rafatijo, Homayoon <hrafatijo@spencerfane.com>; robinson.erick@gmail.com <robinson.erick@gmail.com>; Quantumimaging@spencerfane.com <Quantumimaging@spencerfane.com>
Subject: Re: IPR2023-00954: Patent Owner's Request for Permission to File Rebuttal Evidence with Sur-Reply

Dear Honorable Board:

Patent Owner respectfully requests that Ex. 2015 from PO's sur-reply (Paper 35) re IPR2023-00954 be expunged. Petitioner's counsel are copied on this email.

Primary counsel for PO as well as supporting staff are based in Houston, which today took a direct hit from Hurricane Beryl. We have been without power or Internet all day in the office and at our homes. In the chaos, we mistakenly filed an old version of our Sur-Reply from before this morning's ruling from the Board. Out of an abundance of caution based on this morning's ruling, we request Ex. 2015 be expunged. If the Board approves, we will immediately file an updated exhibit list without Ex. 2015. Thank you for your patience and understanding. Please contact me if you have any questions. Thank you again.

Sincerely,
Erick Robinson
Counsel for Patent Owner
Quantum Imaging LLC
Partner and Co-Chair of IP
Spencer Fane LLP
713-498-6047