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Subject:	Petitioner Request for Reply in Sony Electronics Inc. v. Jawbone Innovations, LLC, IPR2023-01176 (Cls.29-44, US Patent 8,326,611)
Date:	Thursday, November 16, 2023 8:21:37 PM

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Dear Board,

Pursuant to 37 C.F.R. § 42.108(c), Petitioner Sony Electronics Inc. ("Sony") respectfully requests authorization to file a reply of no more than 3 pages to Patent Owner's Preliminary Response ("POPR") in the above-captioned case. Patent Owner Jawbone Innovations, LLC ("Jawbone") has used its POPR, in part, to respond to the Board's comment in an earlier *Amazon v. Jawbone* IPR (involving the same patent claims and prior art) that "Petitioner establishes sufficiently for purposes of institution that the combined disclosures in Avendano '880 and Hou teach limitation 29[b]." (IPR2023-00285, Paper 10 at 35.) The POPR in the present case includes a claim construction for the filter of limitation 29[b] and extensive discussions addressing issues in the Board's decision relating to 29[b]. (Paper No. 8, at 12-14, 17-22.) As a matter of fundamental fairness, Sony requests that it be given the opportunity to respond briefly to those discussions prior to a decision on institution, given that Jawbone has already had the opportunity to do so. Sony thus maintains that good cause exists for a reply.

On November 15 and 16, 2023, the undersigned notified Jawbone of its intent to seek leave from the Board and requested Jawbone's consent to Sony's proposed reply based on the good cause discussed above. Jawbone responded it would not consent but that if Sony's request is approved, Jawbone requests a corresponding sur-reply of equal length.

Sony wishes to make the Board aware that it is also seeking replies in the following co-pending *Sony v. Jawbone* IPRs: IPR2023-01117 (Cls. 14-42, US Patent 8,321,213); IPR2023-01118 (Cls. 1-13, US Patent 8,321,213); IPR2023-01119 (US Patent 7,246,058); IPR2023-01153 (US Patent 11,122,357); IPR2023-01166 (US Patent 8,019,091); IPR2023-01177 (Cls. 1-28, US Patent 8,326,611); IPR2023-01222 (US Patent 8,467,543); and IPR2023-01228 (Cls. 1-22, 29-40, US Patent 8,503,691).

Respectfully submitted,

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