
From: Trials <Trials@USPTO.GOV>
Sent: Wednesday, December 27, 2023 12:49 PM
To: Jae Pak; Trials
Cc: Aguilar, Safiya; Arner, Erika; Bell, Cory; Hines, Lisa; LS3 Team; Michael Boyea; Cole Richter
Subject: RE: IPR2023-01288 - Request for Reply to POPR



EXTERNAL Email:

Counsel,

From the Board –

The request for authorization for Petitioner to file an 8-page pre-institution reply is granted. The reply is limited to the subject matter discussed in the email. Authorization for Patent Owner to file an 8-page sur-reply limited to the same subject matter is also granted. The replay shall be filed by Friday, January 5, 2024, and the sur-reply shall be filed by Friday, January 12, 2024.

Regards,

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

From: Jae Pak <pak@ls3ip.com>
Sent: Wednesday, December 27, 2023 9:55 AM
To: Trials <Trials@USPTO.GOV>
Cc: Aguilar, Safiya <Safiya.Aguilar@finnegan.com>; Arner, Erika <erika.arner@finnegan.com>; Bell, Cory <Cory.Bell@finnegan.com>; Hines, Lisa <Lisa.Hines@finnegan.com>; LS3 Team <LS3_team@ls3ip.com>; Michael Boyea <boyea@ls3ip.com>; Cole Richter <richter@ls3ip.com>
Subject: IPR2023-01288 - Request for Reply to POPR

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Your Honors,

Petitioner, Sonos Inc., requests authorization to file an 8-page pre-institution reply in IPR2023-01288 involving U.S. Patent 9,632,748 (the “’748 Patent”) to respond to characterizations made by Patent Owner in its Patent Owner’s Preliminary Response (POPR) in contending that the Petition fails to establish that Rosenberger anticipates the “determining... whether the first computing device should perform speech recognition on the spoken audio input” limitation found in each challenged claim. More specifically, Sonos would like to apprise the Board of Patent Owner’s arguments in the 1330 ITC Investigation where the ’748 Patent was at issue that are inconsistent with the arguments it now makes before the Board, including (i) Patent Owner’s arguments it successfully made during *Markman* on this

limitation that are directly opposite of the arguments made in its POPR, and (ii) Patent Owner's infringement and domestic industry contentions that are inconsistent with the arguments made in its POPR.

Sonos contacted Patent Owner on December 20, 2023 for its position on Sonos's request. This morning, Patent Owner expressed its opposition, as shown in the attachment.

If a call is desired, Petitioner's counsel is available at the Board's convenience the remainder of the week and next week.

Best regards,

Jae Pak

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