

From: [Michael Hawkins](#)
To: [Trials](#)
Cc: [IPR56432-0092IP1](#); [IPR56432-0093IP1](#)
Subject: IPR2023-01375 and -01376
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Dear Board,

Before IPR case nos. IPR2023-01375 and IPR2023-01376 are accorded a filing date, Petitioner requests authorization to file a corrected Petition or, in the alternative, to dismiss the original Petition for purposes of refiling a new (corrected) Petition. IPR counsel for Patent Owner has not made an appearance in these two proceedings, and there is no statutory bar date at issue (the district court complaint was served only 4.5 months ago, and it is now stayed).

In particular, each original Petition refers to a "Higashi" publication that was published on "4/23/2015" but then inadvertently lists Higashi's issued patent number ("JP6314418") rather than Higashi's published application ("JP2015078953"). See Petition, p. 2. All of Higashi's paragraph numbers and figures cited in the original Petition are substantively identical in both Higashi documents. The corrected Petition would not make any substantive changes to any prior art argument and would not make any changes to any citations to Higashi's paragraph numbers/figures.

Petitioner requests to correct the two pages of the Petition (pp. iii and 2) by replacing instances of document number "JP6314418" with the correct Higashi document number "JP2015078953," thereby identifying the Higashi document number that was published on "4/23/2015" as originally noted on page 2 of the Petition. In making this correction, Petitioner will also submit PDFs of corrected exhibits 1010 and 1011 (Higashi exhibits), and will submit a corrected exhibit 1003 (Dr. Shanley declaration with no substantive changes ... only instances of the document number "JP6314418" being replaced with the correct Higashi document number "JP2015078953A").

Thank you,

Michael Hawkins :: Principal :: Fish & Richardson P.C.
612 337 2569 direct :: hawkins@fr.com :: fr.com :: [Bio](#)

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Ex. 3001