

From: [Julian Pymonto](#)
To: [Trials](#); [Peter Lambrianakos](#); [PTAB AIA Conference Calls](#); [Lydia Raw](#)
Cc: [PTAB](#); [Vincent Rubino](#); [Fred Fabricant](#); [Enrique Iturralde](#); [Richard Cowell](#); [Adam P. Seitz](#); [Eric Buresh](#); [Jennifer Bailey](#); [dpereira@merchantgould.com](#); [dmcphail@merchantgould.com](#); [ptab@eriseip.com](#); [tfink@omm.com](#); [bhaber@omm.com](#); [bcook@omm.com](#); [nwhilt@omm.com](#); [jbaxter@omm.com](#)
Subject: RE: IPR2024-00006 (US 8,588,033)
Date: Wednesday, November 27, 2024 2:24:48 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

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Honorable Board:

Patent Owner respectfully requests authorization to file a supplemental expert declaration accompanying its Sur-reply in response to additional opinions raised by Petitioners' supplemental expert declaration accompanying their Reply in this proceeding. Patent Owner has conferred with Petitioners, who do not oppose this request.

Julian Pymonto
Back-up counsel for Patent Owner



Julian Pymonto
Associate
Fabricant LLP
T: 646-797-4341
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From: Trials <Trials@USPTO.GOV>
Sent: Wednesday, November 27, 2024 2:11 PM
To: Peter Lambrianakos <plambrianakos@fabricantllp.com>; PTAB AIA Conference Calls <PTABAIAConferenceCalls@uspto.gov>; Lydia Raw <lydia.raw@eriseip.com>; Trials <Trials@USPTO.GOV>
Cc: PTAB <PTAB@fabricantllp.com>; Vincent Rubino <vrubino@fabricantllp.com>; Fred Fabricant <ffabricant@fabricantllp.com>; Enrique Iturralde <eiturralde@fabricantllp.com>; Richard Cowell <rcowell@fabricantllp.com>; Adam P. Seitz <adam.seitz@eriseip.com>; Eric Buresh <eric.buresh@eriseip.com>; Jennifer Bailey <jennifer.bailey@eriseip.com>; dpereira@merchantgould.com; dmcphail@merchantgould.com; ptab@eriseip.com; tfink@omm.com; bhaber@omm.com; bcook@omm.com; nwhilt@omm.com; jbaxter@omm.com
Subject: RE: IPR2024-00006 (US 8,588,033) - Scheduling Conference Call

Counsel,

The request to use backup counsel on December 4th is approved.

IPR2024-00006
Ex. 3005

Regards,

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

From: Peter Lambrianakos <plambrianakos@fabricantllp.com>
Sent: Wednesday, November 27, 2024 12:18 PM
To: PTAB AIA Conference Calls <PTABAIAConferenceCalls@uspto.gov>; Lydia Raw <lydia.raw@eriseip.com>; Trials <Trials@USPTO.GOV>
Cc: PTAB <PTAB@fabricantllp.com>; Vincent Rubino <vrubino@fabricantllp.com>; Fred Fabricant <ffabricant@fabricantllp.com>; Enrique Iturralde <eiturralde@fabricantllp.com>; Richard Cowell <rcowell@fabricantllp.com>; Adam P. Seitz <adam.seitz@eriseip.com>; Eric Buresh <eric.buresh@eriseip.com>; Jennifer Bailey <jennifer.bailey@eriseip.com>; dpereira@merchantgould.com; dmcphail@merchantgould.com; ptab@eriseip.com; tfink@omm.com; bhaber@omm.com; bcook@omm.com; nwhilt@omm.com; jbaxter@omm.com
Subject: RE: IPR2024-00006 (US 8,588,033) - Scheduling Conference Call

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Honorable Board:

Lead counsel for Patent Owner has a conflict with the oral hearing in IPR2023-01291 on December 4 at 1:00 pm. Patent Owner respectfully requests permission for backup counsel to attend the conference call on behalf of Patent Owner.

Regards,
Peter Lambrianakos
Lead counsel for Patent Owner



Peter Lambrianakos
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From: PTAB AIA Conference Calls <PTABAIAConferenceCalls@uspto.gov>
Sent: Wednesday, November 27, 2024 11:58 AM
To: Lydia Raw <lydia.raw@eriseip.com>; Trials <Trials@USPTO.GOV>
Cc: PTAB <PTAB@fabricantllp.com>; Peter Lambrianakos <plambrianakos@fabricantllp.com>;

Vincent Rubino <vrubino@fabricantllp.com>; Fred Fabricant <ffabricant@fabricantllp.com>; Enrique Iturralde <eiturralde@fabricantllp.com>; Richard Cowell <rcowell@fabricantllp.com>; Adam P. Seitz <adam.seitz@eriseip.com>; Eric Buresh <eric.buresh@eriseip.com>; Jennifer Bailey <jennifer.bailey@eriseip.com>; dpereira@merchantgould.com; dmcphail@merchantgould.com; ptab@eriseip.com; tfink@omm.com; bhaber@omm.com; bcook@omm.com; nwhilt@omm.com; jbaxter@omm.com

Subject: RE: IPR2024-00006 (US 8,588,033) - Scheduling Conference Call

Counsel,

A conference call is scheduled with the Board in IPR2024-00006 on **December 4th, at 1:00 PM EST.**

The dial-in number is: 888-551-9516 and the passcode is: 7535530#.

Regards,

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

From: Lydia Raw <lydia.raw@eriseip.com>

Sent: Tuesday, November 26, 2024 4:28 PM

To: Trials <Trials@USPTO.GOV>

Cc: PTAB <PTAB@fabricantllp.com>; plambrianakos@fabricantllp.com; vrubino@fabricantllp.com; ffabricant@fabricantllp.com; eiturralde@fabricantllp.com; rcowell@fabricantllp.com; Adam P. Seitz <adam.seitz@eriseip.com>; Eric Buresh <eric.buresh@eriseip.com>; Jennifer Bailey <jennifer.bailey@eriseip.com>; dpereira@merchantgould.com; dmcphail@merchantgould.com; ptab@eriseip.com; tfink@omm.com; bhaber@omm.com; bcook@omm.com; nwhilt@omm.com; jbaxter@omm.com

Subject: IPR2024-00006 (US 8,588,033)

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Dear Honorable Board,

Petitioner Garmin and Patent Owner Slyde have reached a settlement in principle of the related district court litigation and will seek leave to file a joint motion to terminate Garmin's further participation in IPR2024-00006 once the final settlement agreement has been executed. Joint Petitioner Zepp intends to take over the role of lead Petitioner from Samsung in IPR2024-00006.

By way of background, IPR2024-00006 was filed on October 16, 2023 by Petitioner Samsung. Both Garmin Ltd. (IPR2024-00765) and Zepp Health Corporation (IPR2024-00833) were joined as petitioners to the proceeding.

On October 9, 2024, Petitioner Samsung and Patent Owner Slyde informed the Board that they had reached a settlement in principle and would seek leave to file a joint motion to terminate Samsung's further participation in these IPRs once the final settlement agreement has been executed. A conference call was held on October 16, 2024, and the Board authorized Garmin to take over the lead Petitioner role. Paper 16.

Counsel for Patent Owner Slyde and Joint Petitioners Garmin and Zepp Health are copied on this communication.

Best regards,
Lydia Raw
Counsel for Petitioner Garmin

 **Lydia Raw**
associate
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