

From: [Trials](#)
To: [Zeilberger, Daniel](#); [Trials](#)
Cc: [Wolfe, Michael](#); [PH-Lam-Inpria-IPR](#); [MLB-Lam-IPR-Team@morganlewis.com](#)
Subject: RE: IPR2024-00033
Date: Wednesday, July 10, 2024 3:30:34 PM
Attachments: [image001.png](#)

Counsel:

The Board does not believe a call is necessary unless either party needs guidance on a specific issue. In that case, please meet and confer and contact the Trials@uspto.gov inbox to schedule a teleconference (proposing several mutually agreeable times and dates) and briefly explain the issue that needs resolution. Otherwise, we direct your attention to our precedential decision in *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-001129, -01130, Paper 15 for information regarding motions to amend. We consider Patent Owner's obligations under 37 C.F.R. § 42.121(a) to be satisfied by its e-mail dated July 8, 2024. The Board also authorizes the schedule changes proposed by the parties. The Board shall enter into the record a copy of this email correspondence as Exhibit 3002.

Regards,

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

From: Zeilberger, Daniel <danielzeilberger@paulhastings.com>
Sent: Wednesday, July 10, 2024 1:20 PM
To: Trials <Trials@USPTO.GOV>
Cc: Wolfe, Michael <michaelwolfe@paulhastings.com>; PH-Lam-Inpria-IPR <PH-Lam-Inpria-IPR@paulhastings.com>; MLB-Lam-IPR-Team@morganlewis.com
Subject: RE: IPR2024-00033

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Your Honors,

Petitioner and Patent Owner write regarding Due Dates 1, 2, 3, and 5 in IPR2024-00033. The parties have discussed an extension to Due Date 1 due to scheduling conflicts. To maintain the amount time for responses and replies to a motion to amend provided in the scheduling order, the Parties jointly propose the below amended schedule.

The proposed amended schedule shifts the entirety of Due Dates 1, 2, and 3 by two weeks and the portion of Due Date 5 related to Patent Owner's sur-reply to reply to opposition to motion to amend by two weeks.

Due Dates	Original	Amended
Due Date 1	July 17	July 31 (all filings)
Due Date 2	October 9	October 23 (all filings)
Due Date 3	November 20	December 4 (all filings)
Due Date 4	December 11	Unchanged
Due Date 5	January 2	January 2 (unchanged): Portion relating to motion to exclude January 16: Portion relating to sur-reply to reply to opposition to motion to amend
Due Date 6	January 8	Unchanged
Due Date 7	January 15	Unchanged
Due Date 8	January 22	Unchanged

Petitioner and Patent Owner therefore jointly request that the Board authorize these changes to the schedule. Petitioner and Patent Owner are available for a conference call with the Board on Thursday July 11th from 4 pm – 6 pm ET or Friday July 12th from 4 pm – 6 pm ET.

Respectfully,
Daniel Zeilberger
Counsel for Patent Owner

From: Zeilberger, Daniel
Sent: Monday, July 8, 2024 6:45 PM
To: 'Trials' <Trials@USPTO.GOV>
Cc: Wolfe, Michael <michaelwolfe@paulhastings.com>; PH-Lam-Inpria-IPR <PH-Lam-Inpria-IPR@paulhastings.com>; 'MLB-Lam-IPR-Team@morganlewis.com' <MLB-Lam-IPR-Team@morganlewis.com>
Subject: IPR2024-00033

Your Honors,

Patent Owner writes regarding Due Date 1 in IPR2024-00033, which is currently set for July 17. In particular, the parties have been discussing an extension to Due Date 1, but now appear to have reached an impasse. Patent Owner is going to continue to meet and confer with Petitioner on the schedule, but in an abundance of caution given the current July 17 due date wanted to make the Board aware that Patent Owner is considering a motion to amend.

To the extent the Board wishes to schedule a conference call to discuss the motion to amend per the scheduling order, Patent Owner can confer with Petitioner regarding times of availability.

Respectfully,
Daniel Zeilberger
Counsel for Patent Owner

**PAUL
HASTINGS**

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