

**From:** [Trials](#)  
**To:** [Lines, Aaron](#); [Trials](#)  
**Cc:** [Michael D. Saunders](#); [Bryan D. Atkinson](#); [\\*DAL - Force MOS IPRs](#); [Martin \(DeWerff\), Mackenzie](#)  
**Subject:** RE: IPR2024-00093, IPR2024-00094 ('634 and '409 Patent IPRs) – Inergy v. Force MOS – Petitioner’s Request for Authorization to File a Motion for Supplemental Information  
**Date:** Tuesday, June 25, 2024 10:50:09 AM  
**Attachments:** [image001.png](#)

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Counsel:

From the Board –

Petitioner may file a Motion to Submit Supplemental Information in IPR2024-00093 and IPR2024-00094 by June 28, 2024. Patent Owner may file an opposition to the Motion by July 8, 2024. No further briefing is authorized at this time.

Regards,

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

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**From:** Lines, Aaron <Aaron.Lines@bakermckenzie.com>  
**Sent:** Friday, June 21, 2024 4:37 PM  
**To:** Trials <Trials@USPTO.GOV>  
**Cc:** Michael D. Saunders <MSaunders@dickinson-wright.com>; Bryan D. Atkinson <BATkinson@dickinson-wright.com>; \*DAL - Force MOS IPRs <DAL-ForceMOSIPRs@bakermckenzie.com>; Martin (DeWerff), Mackenzie <Mackenzie.Martin@BakerMckenzie.com>  
**Subject:** IPR2024-00093, IPR2024-00094 ('634 and '409 Patent IPRs) – Inergy v. Force MOS – Petitioner’s Request for Authorization to File a Motion for Supplemental Information

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To the Honorable Board,

Pursuant to 37 C.F.R. § 42.123(a)(1), Petitioner hereby timely requests authorization from the Board to file a motion to submit supplemental information in IPR2024-00093 and IPR2024-00094. Specifically, Petitioner requests authorization to file a translator’s certificate of translation in IPR2024-00093 supporting the accuracy of the as-filed Exhibit 1006 translation of a prior art reference relied upon by Petitioner for invalidating a claim for which trial has been instituted. Petitioner also requests authorization to file a supplemental declaration for librarian Dr. Sylvia Hall-Ellis (with two attachments) and expert Dr. David Kuan-Yu Liu in IPR2024-00094, each supporting the public accessibility and availability of prior art references relied upon by Petitioner for invalidating a claim for which trial has been instituted.

Accordingly, each submission constitutes supplemental information that is relevant to a claim for which trial has been instituted under 37 C.F.R. § 42.123(a)(2).

Petitioner and Patent Owner have met and conferred regarding the foregoing request, and Patent Owner

opposes Petitioner's request to file supplemental information, as Patent Owner believes that the proposed supplemental information is responsive to Patent Owner's objections, and is thus more properly characterized as supplemental evidence, which is only to be filed if Patent Owner elects to file a motion to exclude. Because Patent Owner believes the material is directed to issues of admissibility, rather than being relevant to a claim at issue in the trial, Patent Owner submits it does not satisfy 37 CFR 42.123(a) (2).

The parties are available for a call if helpful to the Board's consideration of this request.

Kind regards,

Aaron Lines  
Counsel for Petitioner

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