

Exhibit 1012

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From: Trials <Trials@USPTO.GOV>
Sent: Friday, March 1, 2024 12:52 PM
To: haotan@archlakelaw.com; Trials
Cc: 'Kaiser, Jessica (Perkins Coie)'; 'Rose, Kate (Perkins Coie)'; SES-imagotag-IPRs@perkinscoie.com; 'Elyn0703'; 'Christopher Fahy'; shenwang@archlakelaw.com
Subject: RE: Hanshow v. SES-Imagotag // IPR2024-00188

Counsel:

From the Board –

Petitioners' request for authorization to file a preliminary reply is granted. Within 10 days, Petitioners may file a preliminary reply limited to 10 pages and the subject matter discussed in the email. Within 10 days of the preliminary reply being filed, Patent Owner may file a preliminary sur-reply limited to 10 pages and the subject matter of the reply.

Regards,

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

From: haotan@archlakelaw.com <haotan@archlakelaw.com>
Sent: Tuesday, February 27, 2024 4:23 PM
To: Trials <Trials@USPTO.GOV>
Cc: 'Kaiser, Jessica (Perkins Coie)' <JKaiser@perkinscoie.com>; 'Rose, Kate (Perkins Coie)' <KateRose@perkinscoie.com>; SES-imagotag-IPRs@perkinscoie.com; 'Elyn0703' <ellen@archlakelaw.com>; 'Christopher Fahy' <christopher@archlakelaw.com>; shenwang@archlakelaw.com
Subject: Hanshow v. SES-Imagotag // IPR2024-00188

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Dear Board,

Petitioners, Hanshow America Inc. and Hanshow Technology Co., Ltd., respectfully request authorization to file a Reply to Patent Owner's Preliminary Response in IPR2024-00188.

Good cause for a preliminary reply exists to respond to Patent Owner's Preliminary Response, in particular: (1) Patent Owner's allegation that the Petition fails to specifically address the term

“communication stage” raises a new claim construction that Petitioner could not have foreseen (i.e., communication stage not construed as communication unit using its plain meaning); (2) Patent Owner mischaracterizes the claim limitation [1.3a] on the first page of its response by stating that limitation [1.3a]³ recites that the playback **devices comprise** “a communication stage to communicate data with each other,” while claim 1 actually recites “**each** playback device (6A, 6B) **comprises** ... a communication stage to communicate data with each other”; and (3) Patent Owner mischaracterizes the Petition’s discussion about Masumoto when explaining Element [1.3] because a POSITA would understand that the communication unit and/or the controller can function as “the communication stage” to communicate/transmit data.

Patent Owner opposes Petitioner’s request because there is no good cause for a preliminary reply. Without including undue argument in an email to the Board, as to Petitioner’s issue (1), Patent Owner notes that it did not raise any claim construction issue, but instead, merely pointed out that the Petition failed to use the term “communication stage” (other than to recite the term in claim language), and failed to specify where it was found in the art. As to Petitioner’s issues (2) and (3), Patent Owner did not “mischaracterize” either the claims or the Petition, and the Board can itself evaluate Patent Owner’s arguments (and the Petition’s deficiencies) without further briefing. At bottom, it appears that Petitioner simply disagrees with Patent Owner’s analysis. But such run-of-the-mill merits disputes do not show good cause for a preliminary reply. If they did, the Board would have to allow a preliminary reply in every case.

Should the Board desire a conference call with the parties, the parties can meet and confer and propose times of mutual availability.

Thanks!
Hao

Arch & Lake LLP

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