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Subject: IPR2024-00622, 623, 624, 625, 647, 648, 649, and 650 - Patent Owner's Requests for Streamlining Related IPRs
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Your Honors:

In an effort to reduce burden and expense on the Board and the parties, Patent Owner The Johns Hopkins University ("JHU") would like to request scheduling a conference call to discuss a proposal for streamlining nine (9) on-going related IPR proceedings (IPR2024-00240, -00647, -00622, -00623, -00624, -00625, -00648, -00649, -00650).

In general, JHU proposes classifying the IPRs into three groups based on commonalities in claimed subject matter within each group and differences in claimed subject matter between the groups:

Group 1: the '393 and '287 patent IPR proceedings (IPR2024-00240, -00647)

Group 2: the '356, '974, '975, and '219 patent IPR proceedings (IPR2024-00622, -00623, -00624, -00625)

Group 3: the '462, '187, and '491 patent IPR proceedings (IPR2024-00648, -00649, -00650)

JHU also proposes revised schedules in the table below, but is amenable to considering revisions to this schedule based on the Board's recommendations.

	Group 1			Group 2		Group 3	
	<i>IPR2024-00240 Current Due Dates</i>	<i>IPR2024-00647 Current Due Dates</i>	<i>Proposed Due Dates (where different)</i>	<i>Current Due Dates</i>	<i>Proposed Due Dates (where different)</i>	<i>Current Due Dates</i>	<i>Proposed Due Dates (where different)</i>
Patent Owner Response	October 4* (already filed)	December 20	November 4 (-00647 only)	December 16	January 13	December 20 / 26	February 6
Petitioner's Reply	January 17	March 14	January 31	March 10	April 28	March 14 / 20	May 15
Patent Owner Sur-reply	February 14	April 25	March 6	April 21	May 26	April 17 / 25	June 12
Motion to	February	June 6	March 13	June 2	-	June 6	June 27

IPR2024-00240, -00622, -00623, -00624, -00625, -00647, -00648, -00469, -00650 Ex. 3006

Exclude (MTE)	28						
Opposition to MTE	March 7	June 13	March 19	June 9	-	June 13	July 4
Reply to MTE	March 14	June 20	March 24	June 16	-	June 20	July 11
Hearing	March 26	June 26	-	June 26	-	June 26	Week of July 21 or July 28
FWD	June 14	October 11	June 14	September 25 / 26	-	October 12 / 15	-

With regard to **Group 1**, JHU proposes aligning the schedule in IPR2024-00647 with the schedule in IPR2024-00240 due to the high degree of substantive similarities in the claims and the Petition grounds in these proceedings, which would enable a consolidated oral hearing for the '287 and '393 proceedings on the same day, facilitate consolidated depositions between these matters, and permit consolidation of any subsequent appeals of these cases should the Board be inclined to issue FWDs on the substantially similar issues between these cases around the same time. Under this proposal, although JHU's POR in the -00647 proceeding will be substantially similar to the POR filed earlier this month in the -00240 proceeding, JHU is nonetheless willing to accelerate filing of its POR in the -00647 proceeding by ~1.5 months to ensure Merck would be left with an amount of time to prepare its Reply in the -00647 proceeding that exceeds the amount of time provided in the Board's original Scheduling Order, for example, to minimize any perceived prejudice against Petitioner. If extending the original hearing date or FWD deadline from the Scheduling Order in the -00240 proceeding would further aid in aligning the schedules in these proceedings, JHU is amenable to considering these options as well.

With regard to **Groups 2 and 3**, JHU proposes that the due dates for Group 2 be aligned to a first schedule and the due dates for Group 3 be aligned to a second schedule offset from those of Group 2 to alleviate the burden on both parties in preparing briefs and scheduling depositions. JHU further proposes moving the scheduled date for the oral hearing(s) for cases in Group 3 to the week of July 14th or 21st, while maintaining the scheduled date for the oral hearing(s) for cases in Group 2 on June 26th. The Scheduling Orders have currently set hearings for eight IPRs on the same date (June 26th), but JHU believes that separate oral hearings are warranted here under the APA and in accordance with due process due to the number of patents at issue and substantive differences between the claimed subject matter in each group.

To facilitate these proposals, JHU has agreed not to pursue motions to amend in any of the subject proceedings.

Finally, JHU proposes that the word limits for the PORs and Replies in each proceeding be increased by 25%, consistent with the increase that was earlier authorized in the -00240 proceeding. See IPR2024-00240, Paper 36. JHU anticipates raising similar secondary considerations arguments based on discovery obtained in the -00240 proceeding and addressing a similar number of issues in its PORs in the subsequent proceedings as those addressed in the POR for the -00240 proceeding. JHU

respectfully submits that additional words are warranted in the subsequent proceedings for similar reasons as the -00240 proceeding.

The parties have held multiple meet-and-confer calls to discuss the above proposals. Petitioner Merck's position is provided below:

Petitioner Merck does not believe there is any need or reason for the Parties to deviate from the oral hearing deadlines set by the Board or the statutory deadlines for Final Written Decision for the nine related IPR proceedings. The Parties have been working cooperatively to address any adjustments to the schedule for briefing deadlines, and have reached agreement regarding streamlining of depositions, cross-use of deposition transcripts, and discovery. Indeed, Patent Owner recently indicated that "Should the Board not accept JHU's proposals for separate hearings for the Group 2 and Group 3 patents, JHU may then be amenable to Merck's counterproposal regarding due dates for these groups." Petitioner remains willing to continue working with Patent Owner to address any necessary scheduling adjustments as they arise, but opposes the larger structural changes Patent Owner requests.

Further, for the same reasons stated previously regarding increases to the word count, Petitioner does not believe the amount of increase JHU requests is necessary, but understands this is the amount previously granted by the Board.

If the Board would be amenable to scheduling a conference call, the parties are mutually available on Monday, November 4th from 9am-5pm EST. The parties can also provide availability on additional dates at the Board's request.

Respectfully submitted,
Nicholas Stephens

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