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Sent: Thursday, May 9, 2024 4:28 PM

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Subject: RE: IPR2024-00286: Request seeking leave to reply to Patent Owner's Preliminary Response

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Dear Honorable Board:

Petitioner did not provide a draft email to Patent Owner as requested prior to sending its message so apologies for the multiple emails. To avoid presenting argument to the Board via email, Patent Owner requests a conference call with the Board if it is inclined to entertain Petitioner's request.

Best regards,
Derek



Derek Dahlgren

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From: Bertulli, Scott <Scott.Bertulli@wilmerhale.com>

Sent: Thursday, May 9, 2024 4:07 PM

[IPR, CBM, or PGR] [number]

Patent [number]

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Subject: IPR2024-00286: Request seeking leave to reply to Patent Owner's Preliminary Response

Regarding: IPR2024-00286 challenging claims of U.S. Patent No. 11,611,520

Dear Honorable Board,

Petitioner Dropbox respectfully requests leave to file a short reply to Patent Owner's Preliminary Response in IPR2024-00286, limited to the following issues:

- Patent Owner's argument under Section 325(d), including the applicability of *Cultec, Inc. v. StormTech, LLC* to this case and relevance of Google's IPRs challenging other patents in the '520 patent's family
- Patent Owner's secondary considerations arguments, including as those arguments relate to Dropbox's products

Dropbox submits that there is good cause for a reply on these issues and the Board will benefit from additional briefing on each:

- As to Patent Owner's 325(d) arguments, it was not reasonably foreseeable that Patent Owner would assert that a different party's instituted, but later jointly terminated IPR petitions addressing different patents in the '520 patent's family would be cumulative to Dropbox's grounds for invalidity presented in this case.
- As to Patent Owner's secondary considerations arguments, it was not reasonably foreseeable that Patent Owner would, for example, claim as its own the benefit of commercial success enjoyed by Dropbox's product, already found by a jury not to practice the claims of Patent Owner's other patents in the '520 patent's family.

Dropbox respectfully requests five pages for its reply on these issues.

The parties have conferred by email. Counsel for Patent Owner is copied on this message. Patent Owner opposes Dropbox's request.

Counsel for each party is available Tuesday and Wednesday afternoon next week, May 14 and 15, for a conference call with the Board if that would please the Board.

Respectfully submitted,

Scott Bertulli

[IPR, CBM, or PGR] [number]
Patent [number]

Counsel for Dropbox

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