Diana Bradley

From: Trials <Trials@USPTO.GOV>
Sent: Friday, June 21, 2024 7:34 AM
To: Karan Jhurani; Trials
Cc: rmirzaie@raklaw.com; mfenster@raklaw.com; dchang@raklaw.com; ahayden@raklaw.com; jmilkey@raklaw.com; nrubin@raklaw.com; pwang@raklaw.com; rak_headwater@raklaw.com; Jeremy Monaldo; Karl Renner; Parvin Ghane; Turhan F. Sarwar; Gregory F. Corbett; IPR39843-0164IP1@fr.com; IPR39843-0164IP2
Subject: RE: IPR2024-00341 and IPR2024-00342 – Request for Authorization to File an Updated Stipulation and a Pre-Institution Reply

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Counsel,

From the Board –

Petitioner is authorized to file an updated stipulation in each of IPR2023-00341 and IPR2023-00342. Also, in IPR2024-00342, Petitioner is authorized to file a pre-institution reply limited to 5 pages of argument by June 26, 2024, and Patent Owner is authorized to file a pre-institution sur-reply limited to 5 pages of argument by July 3, 3024.

Regards,

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

From: Karan Jhurani <jhurani@fr.com>
Sent: Monday, June 17, 2024 3:59 PM
To: Trials <Trials@USPTO.GOV>
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Subject: RE: IPR2024-00341 and IPR2024-00342 – Request for Authorization to File an Updated Stipulation and a Pre-Institution Reply

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Your Honors,

SAMSUNG 1043
SAMSUNG V. HEADWATER
IPR2024-00342

I wanted to follow up on the below requests. Please let us know if any additional information is needed or if a call would be helpful (in which case, we can coordinate with the parties to identify some available days and times).

Best,
Karan Jhurani
Counsel for Petitioner Samsung

Karan Jhurani
Principal ■ Fish & Richardson P.C.

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From: Karan Jhurani <jhurani@fr.com>
Sent: Thursday, June 06, 2024 2:46 PM
To: Trials <Trials@USPTO.GOV>
Cc: rmirzaie@raklaw.com; mfenster@raklaw.com; dchang@raklaw.com; ahayden@raklaw.com; jmilkey@raklaw.com; nrubin@raklaw.com; pwang@raklaw.com; rak_headwater@raklaw.com; Karan Jhurani <jhurani@fr.com>; Jeremy Monaldo <Monaldo@fr.com>; Karl Renner <renner@fr.com>; Parvin Ghane <ghane@fr.com>; Turhan F. Sarwar <Turhan.Sarwar@WolfGreenfield.com>; Gregory F. Corbett <Gregory.Corbett@WolfGreenfield.com>; IPR39843-0164IP1@fr.com; IPR39843-0164IP2 <IPR39843-0164IP2@fr.com>
Subject: IPR2024-00341 and IPR2024-00342 – Request for Authorization to File an Updated Stipulation and a Pre-Institution Reply

Your Honors,

Petitioner Samsung Electronics Co., Ltd. ("Samsung") requests authorization to file an updated stipulation in the IPR2024-00341 and IPR2024-00342 proceedings. Additionally, in the IPR2024-00342 proceeding, Petitioners Samsung and Google LLC ("Google") request authorization to file a pre-institution reply to address the arguments raised in the Patent Owner Preliminary Response.

With respect to the stipulation, Samsung intends to submit as an exhibit (in both proceedings) a *Sotera* stipulation letter that it will serve on Patent Owner. In each letter that would be included in the exhibit, Samsung will indicate its agreement not to pursue—in the district court litigation or any parallel proceeding—any grounds raised in the underlying IPR, any grounds raised within Samsung's invalidity contentions that were raised or could have been raised in that IPR, or any grounds Samsung could have reasonably raised before the PTAB, if that IPR proceeding is instituted. Samsung seeks authorization to file the such a *Sotera* stipulation letter as an exhibit in each of these proceedings.

Patent Owner does not oppose this request to file a *Sotera* stipulation in the above-referenced proceedings.

With respect to the requested pre-institution reply, Petitioners Samsung and Google seek a five-page brief to address the incorrect characterizations in the POPR, Patent Owner's disregard of Google's status as a separate Petitioner that has not been sued in any parallel proceeding, and the limited burden from addressing the art and grounds presented in both petitions.

Patent Owner opposes this request for a pre-institution reply in IPR2024-00342 and believes it is improperly argumentative. According to Patent Owner, Petitioners don't identify any misrepresentations in the 10-page POPR, and the Board is capable of evaluating the arguments therein (limited to Petitioners' notice ranking petitions) without the need for supplemental briefing.

If a call would be helpful to discuss these requests further, the parties are available at the following days/times (all times Eastern):

1. Mon 6/10: 1 pm or later
2. Tue 6/11: 1 to 3 pm
3. Wed 6/12: 1 to 2 pm or 3 to 5 pm

Best,
Karan Jhurani
Counsel for Petitioner Samsung

Karan Jhurani
Principal ■ Fish & Richardson P.C.

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