

From: [Trials](#)
To: [Quincy Lu](#); [Jim Glass](#); rhails@bakerlaw.com; jhoffman@bakerlaw.com; [Blackhawk451IPR](#)
Cc: [Trials](#)
Subject: RE: IPR2024-00465
Date: Monday, April 28, 2025 4:48:32 PM

Dear Counsel,

Petitioner's request to expunge Exhibit 1040 is granted. Petitioner's request to replace Exhibit 1036, however, is denied. The Board will indicate in any final written decision that the exhibit was expunged at Petitioner's request, Patent Owner's Motion to Exclude (Paper 25) is moot as to Exhibit 1040, and that any reliance by Petitioner or Mr. Hutton on Exhibit 1040 also is withdrawn.

Regards,

Tina Williams
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Quincy Lu <quincylu@quinnemanuel.com>
Sent: Friday, April 25, 2025 6:27 PM
To: Trials <Trials@USPTO.GOV>
Cc: Jim Glass <jimglass@quinnemanuel.com>; rhails@bakerlaw.com; jhoffman@bakerlaw.com; [Blackhawk451IPR](#) <Blackhawk451IPR@bakerlaw.com>
Subject: IPR2024-00465

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Your Honors,

I am counsel for Petitioner in the above-captioned proceeding and write in connection with Patent Owner's motion to exclude.

In an attempt to narrow the issues before the Board and avoid expenditure of unnecessary effort by both the Board and the parties in advance of the upcoming hearing, we do not intend to rely on Exhibit 1040 and portions of testimony from Mr. Hutton's Supplemental Declaration at Exhibit 1036 that rely on Exhibit 1040.

We therefore respectfully request that the Board expunge Exhibit 1040, and we request permission to submit a replacement of Exhibit 1036 that will remove portions that rely on exhibit 1040. We have conferred with Patent Owner and they do not oppose either request.

We appreciate your time and attention to this request.

Ex. 3001,
IPR2024-00465

Respectfully submitted,
Quincy Lu

Quincy Lu
Of Counsel,
Quinn Emanuel Urquhart & Sullivan, LLP

1109 First Avenue, Suite 210
Seattle, WA 98101
Direct
206.905.7000 Main Office Number
206.905.7100 FAX
quincylu@quinnemanuel.com
www.quinnemanuel.com

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