

From: [Muldoon, Patrick C.](#)
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Cc: [Cook Alciati](#); [Michael Dorfman](#); [Greg Gardella](#); [James Harris](#); [McPherson, Patrick D.](#); [Powers, Joseph A.](#); [Grant, Jayla C.](#); [Gardella Grace Litigation](#)
Subject: IPR2024-00344 and IPR2024-00498
Date: Monday, June 3, 2024 9:14:02 AM

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Your Honors,

Petitioner requests authorization to file a preliminary reply to address issues raised in the Patent Owner's Preliminary Response (POPR) with respect to IPR2024-00344 and IPR2024-00498, that could not have been anticipated directed to claim construction issues in IPR2024-00344 and IPR2024-00498, and regarding the disclosure of Shieh with respect to IPR2024-00498.

The Patent Owner does not oppose Petitioner being granted leave to file a preliminary reply to address Patent Owners' arguments concerning only the preamble of the challenged claims in IPR2024-00344.

Patent Owner opposes Petitioner's request for leave to file a preliminary reply in IPR2024-00498 based on PO's position that Petitioner could have anticipated the issues it seeks to address with a preliminary reply.

It is Patent Owner's position that Petitioner should not be permitted to file any new exhibits.

Petitioner is requesting 7 pages in 10 days for the reply and that Patent Owner be given a sur-reply of equal scope, page length and time. Patent Owner agrees with Petitioner's proposed page limit and briefing schedule.

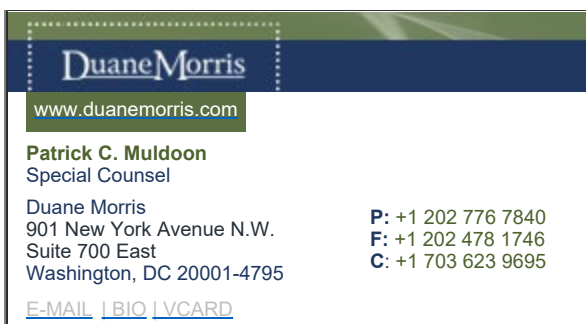
The parties are available for a conference call Wednesday morning 6/5, or generally the following week 6/10, 6/11 and 6/12 in the afternoon.

Thanks

Patrick Muldoon

Counsel for Petitioner

IPR2024-00344, -00498
Ex. 3001



Not admitted in D.C. Practice in D.C. limited to matters and proceedings before federal courts and agencies.

For more information about Duane Morris, please visit <http://www.DuaneMorris.com>

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