

From: [Trials](#)
To: [Ryan Chowdhury](#); [Trials](#)
Cc: ["P52PTABDocket@orrick.com"](#); [Ashraf Fawzy](#); [IPR49649-0022IP1](#); [Karan Jhurani](#)
Subject: RE: IPR2024-00543 - Petitioner Seeking Authorization for Reply
Date: Tuesday, June 25, 2024 9:28:57 AM

Counsel –

The panel determines that additional briefing on the claim construction issue noted by Petitioner would be beneficial. Accordingly, Petitioner's request for authorization to file a Reply to Patent Owner's Preliminary Response is granted. Petitioner's Reply is limited to two pages and may only address the noted claim construction issue. Rather than the requested 14 days, the Reply is due no later than five business days from today.

Patent Owner is authorized to file a Sur-reply to Petitioner's Reply. The Sur-reply is limited to two pages and may only address Petitioner's arguments in the Reply. Given the intervening federal holiday, Patent Owner's Sur-reply is due no later than seven business days after the Reply is filed.

The parties are reminded of the prohibition against presenting substantive argument via email. *See* Paper 3, 3.

Regards,

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

From: Ryan Chowdhury <rchowdhury@fr.com>
Sent: Friday, June 21, 2024 6:17 PM
To: Trials <Trials@USPTO.GOV>
Cc: 'P52PTABDocket@orrick.com' <P52PTABDocket@orrick.com>; Ashraf Fawzy <afawzy@tesla.com>; IPR49649-0022IP1 <IPR49649-0022IP1@fr.com>; Karan Jhurani <jhurani@fr.com>
Subject: IPR2024-00543 - Petitioner Seeking Authorization for Reply

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Dear Board,

On February 2, 2024, Petitioner (Tesla, Inc.) filed the present Petition challenging claims 1-20 of U.S. Pat. No. 10,882,399 (the patent-at-issue in this proceeding). Patent Owner (iQar Inc.) filed its Patent Owner's Preliminary Response ("POPR") on May 7, 2024, and argued that the Petition should be

denied. In particular, Patent Owner argued that the “determining a segment of a vehicle route” limitation requires “a **prospective** determination” such that “electric power needed to travel along a **not yet traveled** segment of a vehicle route at a certain speed must be determined,” and the art cited in the Petition does not disclose this limitation under this implicit claim construction. POPR, 1 (emphasis in original).

Petitioner requests authorization to file a reply to the POPR to address this claim construction and submits that good cause exists for this request. This is because the POPR’s proffered claim construction of “determining a segment of a vehicle route” is new and unforeseeable. *See, e.g.*, POPR at 7 (citing Ex. 1001, 5:49-55, explaining that “speeds for **current** and upcoming **route segments** can...be calculated”)(emphasis added). Petitioner respectfully requests a Reply that is two pages in length, and that the paper be due 14 days after authorization is provided for the Reply.

Patent Owner opposes Petitioner’s request for authorization to file a reply. Patent Owner’s position is that Petitioner’s basis to file a reply is inadequate because the POPR applied a straightforward plain and ordinary meaning of the claims. Patent Owner's view is that the POPR pointed out a disclosure deficiency with respect to the prior art identified in the Petition, and a reply is not an appropriate vehicle to remedy such a deficiency.

Should the Board believe that a call would be helpful to discuss these issues, the Parties can provide their availability for next week.

Sincerely,
Ryan Chowdhury

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