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Subject: Nokia of America v. Wireless Alliance - IPR2024-00619 Request for
Date: Friday, July 12, 2024 12:49:28 PM

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To the Honorable Board:

Petitioner seeks authorization to file a reply to Patent Owner's Preliminary Response filed on June 26, 2024, in the above proceeding. Petitioner plans to reply to the following arguments raised in the POPR: 1) whether Acharya qualifies as prior art 2) whether changing statutory basis for qualifying prior art is a material change, and 3) the *Fintiv* issues. Petitioner will strictly and exclusively limit its reply to the issues actually raised in the POPR; Petitioner will not make any statements or arguments about topics that were not raised in the POPR. Petitioner proposes 7 pages for reply to be filed within 2 weeks of the Board's authorization, and that Patent Owner be given 7 pages for sur-reply to be filed 2 weeks after the reply.

The parties have conferred. Patent Owner's position (included to mitigate multiple emails to the Board) is as follows: Patent Owner does not oppose Petitioner's request under these conditions, except for one detail: the Board should give meaning to the parties' agreement that "Petitioner will strictly and exclusively limit its reply to the issues actually raised in the POPR; Petitioner will not make any statements or arguments about topics that were not raised in the POPR." During the meet and confer process, Petitioner has taken the position that this is effectively meaningless. Patent Owner asks the Board to clarify that this precludes Petitioner from reiterating its arguments on the merits that were **not** raised in the POPR, and Patent Owner is not allowed to reargue the merits in the form of "The POPR did not respond to [substantive argument **not** raised in the POPR], which is meritorious because of [repeated reasons from the Petition]."

Petitioner's position is as follows: Petitioner believes that Patent Owner's lack of arguments with respect to the merits of the disclosures in the prior art in its POPR to be within the scope of the proposed Reply with respect to *Fintiv* Factor 6. Petitioner believes that discussion of Patent Owner's lack of substantive arguments in the POPR is consistent with the parties' agreement that Petitioner "strictly and exclusively limit its reply to the issues raised in the POPR; Petitioner will not make any statements or arguments about topics that were not raised in the POPR."

Should the Board desire a hearing:

- Patent Owner is available the morning of July 17 or anytime on July 19.
- Petitioner is similarly available the morning of July 17 or anytime on July 19.

Regards,

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Partner

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Ex. 3001

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