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Subject: IPR2024-00736 - Petitioner's request for leave to submit a preliminary reply
Date: Tuesday, August 6, 2024 7:51:57 PM

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Dear Honorable Board,

Petitioner received the POPR in IPR2024-00736 on July 25, 2024. Petitioner seeks leave to file a 7-page preliminary reply to respond to Patent Owner's arguments and characterizations regarding cumulativeness of new references under 35 U.S.C. § 325(d), and Patent Owner's new proposed claim constructions, including as they relate to claim construction positions Patent Owner took in the parallel district court litigation after the Petition was filed. Petitioner would not oppose Patent Owner being granted a similar 7-page preliminary sur-reply.

Patent owner is copied on this request and opposes it. Patent Owner's position is that Petitioner's grounds fail to allege that the Patent Owner's preliminary response contains testimonial evidence that would warrant a reply as set forth in the Trial Practice Guide (pages 51-52), and Petitioner provides no other justification to warrant such extraordinary relief.

The parties are available for a conference call any day from Wednesday, August 7, to Friday, August 9, at 11:00 AM Eastern Time, should one be necessary.

Thank you,
Ben Haber,
Counsel for Petitioner

Exhibit 3001