

From: [Davies, Ryan](#)
To: [Jerry Tice](#); [Brenda Entzminger](#)
Cc: [Emerging Auto - Toyota](#); [ToyotaEA](#)
Subject: IPR2024-00786 - Toyota Motor Corp. v. Emerging Automotive LLC
Date: Wednesday, August 7, 2024 8:04:00 AM

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[EXTERNAL]

Counsel,

Toyota intends to request a pre-institution reply to Patent Owner's Preliminary Response filed in IPR2024-00786. The reply would respond to Patent Owner's arguments for discretionary denial of institution under § 314(a) and Fintiv. There is good cause to grant Toyota a reply based on developments in the parallel district court proceeding.

Toyota would request a reply of 10-pages due within 14-days of the Board's authorization. Toyota would not oppose Patent Owner seeking leave to file a sur-reply of equal length due within an equal time period.

Please provide your position as to whether Patent Owner would oppose Toyota's request. Additionally, please advise whether you would be available for a conference call with the Board, should it be required, during the following:

Friday (8/9/2024) – 11:00 AM to 5:00 PM (Eastern)

Monday (8/12/2024) – 11:00 AM to 5:00 PM (Eastern)

Regards,

Ryan T. Davies

Associate

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