

From: [Trials](#)
To: [Regan, Cara](#); [Arner, Erika](#); [Tucker, Daniel](#); [Boyer, Alexander](#); [McPherson, Patrick D.](#); [EXT - KPAnderson@duanemorris.com](#); [Headwater-541-IPRs](#); [Headwater-613-IPR](#); [Reza Mirzaie](#); [Amy Hayden](#); [Marc Fenster](#); [Dale Chang](#); [Jim Milkey](#); [Neil Rubin](#); [rak_headwater@raklaw.com](#); [Philip Wang](#)
Cc: [Trials](#)
Subject: RE: Google LLC et al. v. Headwater Research LLC, IPR Nos. 2024-00944 and -00945
Date: Thursday, October 24, 2024 12:11:50 PM
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Counsel,

For IPR2024-00944, the parties shall identify several times over the next week in which they are available for a conference call with the Panel.

For IPR2024-00945, the Panel authorizes Petitioner to file a preliminary reply, not to exceed two pages, no later than October 31, 2024. The panel also authorizes Patent Owner to file a Preliminary Sur-reply, not to exceed 2 pages, no later than November 7, 2024. The papers are limited to addressing discretionary denial based on *Fintiv*.

Regards,

Tina

From: Regan, Cara <Cara.Regan@finnegan.com>
Sent: Wednesday, October 23, 2024 6:41 PM
To: Trials <Trials@USPTO.GOV>
Cc: Arner, Erika <erika.arner@finnegan.com>; Tucker, Daniel <Daniel.Tucker@finnegan.com>; Boyer, Alexander <Alexander.Boyer@finnegan.com>; McPherson, Patrick D. <PDMcPherson@duanemorris.com>; EXT - KPAnderson@duanemorris.com <KPAnderson@duanemorris.com>; Headwater-541-IPRs <Headwater-541-IPRs@finnegan.com>; Headwater-613-IPR <Headwater-613-IPR@finnegan.com>; Reza Mirzaie <rmirzaie@raklaw.com>; Amy Hayden <ahayden@raklaw.com>; Marc Fenster <mfenster@raklaw.com>; Dale Chang <dchang@raklaw.com>; Jim Milkey <jmilkey@raklaw.com>; Neil Rubin <nrubin@raklaw.com>; Philip Wang <pwang@raklaw.com>; rak_headwater@raklaw.com
Subject: Google LLC et al. v. Headwater Research LLC, IPR Nos. 2024-00944 and -00945

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Your Honors,

Pursuant to Rule 42.108(c), Petitioners requests authorization to file a pre-institution reply in each of IPR2024-00944 and IPR2024-00945.

In IPR2024-00944, Petitioners seek leave to file a four-page reply. Petitioners' reply would provide a stipulation, address the *Fintiv* issues raised in Patent Owner's preliminary response, and respond to Patent Owner's arguments with respect to claims 79 and 83, the sole remaining

claims in this IPR after Patent Owner disclaimed claims 1, 24-25, 27-40, 61-62, 65-78, 80-82, 84-90, 153-154, and 172-174 on October 22, 2024.

In IPR2024-00945, Petitioners seek leave to file a two-page reply to provide a stipulation and address the *Fintiv* issues raised in Patent Owner's preliminary response.

In both proceedings, Patent Owner does not oppose Petitioners' requests as they relate to *Fintiv*, so long as it is authorized to file a sur-reply of equal length, which Petitioners do not oppose. Patent Owner, however, opposes Petitioner's request to reply with respect to claims 79 and 83 of the -00945 IPR.

If the Board requires a conference call, the parties will provide available times.

Best regards,
Cara Regan

Cara Regan
Partner

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