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Subject: IPR2024-01038 and IPR2024-01194

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Dear Honorable Board,

The parties in IPR2024-01038 and IPR2024-01194 jointly ask the Board to consolidate the two proceedings. Both proceedings involve U.S. Patent No. 11,251,315. IPR2024-01038 challenges Claims 10-15, while IPR2024-01194 challenges claims 16 and 19, which depend from claim 10. The issues raised in both proceedings are substantially overlapping. In the Board's institution decision of the IPR2024-01194, the Board noted "that this proceeding and the 1038 IPR proceeding can be coordinated and that a similar or common schedule can be adopted, thus decreasing the inconvenience to Patent Owner." Paper No. 12 at 34. The Board further stated: "[t]he parties may seek to consolidate the two proceedings, including requesting a consolidated briefing schedule, and/or oral hearing, which would result in even more efficiencies for the parties." Id.

Thus, following the Board's invitation, the parties jointly ask that the proceedings be consolidated into a single proceeding for all of the challenged claims, i.e., claims 10-16 and 19. In the consolidated proceeding, Patent Owner will be permitted to file a single Patent Owner's Response addressing all of claims 10-16 and 19, Petitioner will file a single Reply, Patent Owner will file a single Sur-Reply, and there will be a single oral hearing (if requested) addressing all challenged claims. The parties further request that the schedule adopted in IPR2024-01038 apply for the consolidated proceeding.

If the Board agrees to consolidate the proceedings, the parties request guidance from the Board as to whether future submissions and filings should be made only in one proceeding, e.g., IPR2024-01038.

Best regards,

SAMUEL N. TIU

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