

From: [Trials](#)
To: [Zhong, Annita](#); [Weidenfeller, Scott](#); [#PictivaIPR](#); [Gao, Jie](#); [Carson, Rebecca](#); [Warrick, Philip](#); [Silver, Blair](#); [Sheasby, Jason](#); [Garr, David](#); [SDC-Pictiva-IPR](#)
Cc: [Trials](#)
Subject: RE: IPR2024-01095: request for preliminary reply
Date: Wednesday, November 13, 2024 9:47:43 AM
Attachments: [image001.png](#)

Counsel,

The panel has determined that additional briefing may be helpful to the Board in reaching a just decision on institution. Petitioner is authorized to file a Reply, strictly limited to the issues raised below in Petitioner's email. Any reply filed pursuant to this authorization is limited to five (5) pages in length and is due within five (5) business days. Patent Owner is authorized to file a Sur-reply limited to five (5) pages in length, within five (5) business days of the filing of any reply. No conference call is required. The Board will enter a copy of this email correspondence as Exhibit 3001.

Regards,

Franchesca I. Alicea Villanueva
Supervisory Paralegal
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Zhong, Annita <HZhong@irell.com>
Sent: Friday, November 8, 2024 4:25 PM
To: Weidenfeller, Scott <SWeidenfeller@cov.com>; Trials <Trials@USPTO.GOV>
Cc: #PictivaIPR <PictivaIPR@irell.com>; Gao, Jie <JGao@irell.com>; Carson, Rebecca <RCarson@irell.com>; Warrick, Philip <pwarrick@irell.com>; Silver, Blair <bsilver@irell.com>; Sheasby, Jason <JSheasby@irell.com>; Garr, David <dgarr@cov.com>; SDC-Pictiva-IPR <SDC-Pictiva-IPR@cov.com>
Subject: RE: IPR2024-01095: request for preliminary reply

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Dear Honorable Board,

Pictiva is available at the Board's convenience if a call is required. It also requests a sur-reply should the Board grants Petitioner's request for a reply.

Ex. 3001
IPR2024-01095

Respectfully,

H. Annita Zhong

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From: Weidenfeller, Scott <SWeidenfeller@cov.com>

Sent: Friday, November 8, 2024 1:21 PM

To: trials@uspto.gov

Cc: #PictivalPR <PictivalPR@irell.com>; Zhong, Annita <HZhong@irell.com>; Gao, Jie <JGao@irell.com>; Carson, Rebecca <RCarson@irell.com>; Warrick, Philip <pwarrick@irell.com>; Silver, Blair <bsilver@irell.com>; Sheasby, Jason <JSheasby@irell.com>; Garr, David <dgarr@cov.com>; Weidenfeller, Scott <SWeidenfeller@cov.com>; SDC-Pictiva-IPR <SDC-Pictiva-IPR@cov.com>

Subject: IPR2024-01095: request for preliminary reply

Dear Honorable Board,

Petitioner in the above-referenced IPR respectfully requests authorization to file a five-page preliminary reply, and a declaration on public availability of the Ma reference, in order to address Patent Owner's arguments on discretionary denial under *Fintiv* and on the availability of the Ma reference as prior art.

Patent Owner has advised: "We do not oppose a reply on the 314(a) issue, but based on your response to date, we do oppose your attempt to supplement the petitions and to circumvent the word limit to address Ma's alleged online availability and an attempt to submit additional evidence."

Petitioner is available at the Board's convenience if it desires a conference call. Patent Owner did not provide its availability for such a call.

Respectfully submitted,
Scott Weidenfeller
Counsel for Petitioner

Scott Weidenfeller

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