UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AVANOS MEDICAL, INC.
Petitioner,

v.

STRATUS MEDICAL, LLC,
Patent Owner.

_____

IPR2024-01212
U.S. Patent No. 10,952,664

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PATENT OWNER'S WAIVER OF PRELIMINARY RESPONSE

The Patent Owner, Stratus Medical, LLC, hereby notifies the Board, as a courtesy, that Stratus elects to waive its right to file a preliminary response to the petition (Paper 1). By doing so, Stratus does not concede that any challenge in the petition has a reasonable likelihood of prevailing, that trial should be instituted in this case, or that any challenged claim is unpatentable. Stratus reserves all rights to argue for the patentability of the challenged claims and to dispute assertions made in the petition in this trial, if instituted, or in any other forum or proceeding. Stratus's election not to file a preliminary response should not be construed as acquiescence to or agreement with any position taken in the petition.

Respectfully submitted,

Date: 2024 Nov. 12

By: /M.C. Phillips/

Matthew C. Phillips
Registration No. 43,403

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2024, copies of the foregoing PATENT OWNER'S WAIVER OF PRELIMINARY RESPONSE and all documents filed with it were served via electronic mail, as consented to by counsel, upon the following counsel for the petitioner:

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