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Subject: Request to file Reply to Patent Owner's Preliminary Response | IPR2024-01224
Date: Wednesday, November 27, 2024 5:00:46 PM
Attachments: [image001.png](#)
[image004.png](#)

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Lenovo (United States) INC. v. Intellectual Ventures I LLC, No. IPR2024-01224 for US Patent No. 7,623,439

Dear Honorable Board,

Petitioner requests authorization to file a preliminary reply to the Patent Owner's preliminary response in the above-referenced proceeding. Petitioner believes that good cause exists and that it is in the interest of justice to address the Patent Owner's argument challenging the public availability of Dammann (Ex.1004) before an institution decision is reached. Patent Owner has indicated that it opposes this request.

Petitioner's Position:

The Board's precedent in *Hulu LLC v. Sound View Innovations* authorizes the Petitioner to submit additional information including a reply to support its argument that a reference qualifies as a printed publication, if challenged by the Patent Owner. IPR2018-01039, Paper 29 at 14 (PTAB Dec. 20, 2019) (citing 37 C.F.R. §42.23); *See also Google LLC v. Vocalife LLC*, IPR2022-00004 Paper 7 at 3-4 (Feb. 22, 2022) (authorizing Petitioner to submit a Reply to address the issue of whether the challenged art qualifies as a printed publication before an institution decision). Petitioner seeks similar authorization in this proceeding to address Patent Owner's allegations that Dammann is not a printed publication.

Specifically, Petitioner seeks to file a reply no longer than five (5) pages and is limited to the issue of Dammann's status as a prior art reference based on its public availability. Petitioner's reply will provide information, including a supporting declaration from a research librarian and no more than 2-3 exhibits in total, that confirms that Dammann was publicly available before the critical date of the '439 patent.

Best regards,
Jordan Maucotel



Jordan Maucotel | Attorney at Law * Admitted only in TX. Practice limited to matters and proceeding before federal courts and agencies.
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IPR2024-01224
Ex. 3002