

From: [Maule, Steve](#)
To: [Trials](#)
Cc: [DL Pascal IPR](#); [IPR2024-01235](#)
Subject: RE: IPR2024-01235 - Request for Conference Call Regarding Deposition and Motion to Submit Supplemental Information
Date: Thursday, April 24, 2025 6:20:18 PM

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Your Honors,

Apologies. The parties are available for a conference call at these revised times:

- April 28, 3-5pm ET
- April 29, 3-5pm ET
- April 30, 3-5pm ET

Respectfully,

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From: Maule, Steve <steve.maule@bakerbotts.com>
Sent: Thursday, April 24, 2025 4:21 PM
To: Trials@USPTO.GOV
Cc: DL Pascal IPR <DLPascalIPR@BakerBotts.com>; IPR2024-01235 <IPR2024-01235@ktslaw.com>
Subject: IPR2024-01235 - Request for Conference Call Regarding Deposition and Motion to Submit Supplemental Information

Your Honors,

Petitioner respectfully requests a conference call regarding two issues set forth below.

1. Deposition Outside the United States

Patent Owner seeks to depose Petitioner's expert witness, Dr. Mircea Dincă, who is currently on sabbatical in Spain. Pursuant to 37 C.F.R. § 42.53(b)(3), the parties have met and conferred and reached agreement on a procedure for conducting cross-examination of Dr. Dincă in Barcelona, Spain on June 5, 2025. The parties respectfully request that the Board authorize the parties to proceed with deposition outside the United States, per this agreement. The parties' agreement on an in-person deposition moots the second issue raised in Patent Owner's request for director review, filed on April 7, 2025.

2. Authorization To File A Motion To Submit Supplemental Information

Pursuant to 37 C.F.R. § 42.123(a), Petitioner respectfully requests authorization to file a motion to submit supplemental information. The information Petitioner seeks to submit consists of a

supplemental declaration of Sylvia Hall-Ellis, Ph.D., and accompanying materials, served on Patent Owner as supplemental evidence on April 21, 2025. The supplemental declaration addresses public availability of the prior art references upon which trial was instituted (Exs. 1006, 1007, 1009, and 1021), (see Paper 8), the first issue raised in Patent Owner's request for direct review, filed on April 7, 2025, and Patent Owner's objections to Petitioner's evidence, also filed April 7, 2025. *See also* Paper 8 at 20 n.5 ("Petitioner may move to submit such evidence through the supplemental information process (37 C.F.R. § 42.23) or, if Patent Owner raises this issue in its response, Petitioner may respond with supporting evidence in its reply. *Id.*").

Petitioner asked to meet and confer with Patent Owner regarding this request. Patent Owner responded via email that it opposes this request.

The parties are available for a conference call at the times indicated below:

- April 28, 8:30-11am
- April 30, 8:30-11am

Respectfully,
Steve Maule

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