

From: [Jim Glass](#)
To: [Trials](#); [Amendt, Kevin](#); [Quincy Lu](#)
Cc: [Meunier, William](#); [Renaud, Michael](#); [Mintz-Collision-IPRs](#); [QE-Samsung-Collision-IPR](#)
Subject: RE: IPR2024-01249 and IPR2024-01247
Date: Monday, December 23, 2024 1:54:48 PM

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Your Honors:

I write to update the Board on our progress on the issues raised in the Board's December 18 emails to the parties. The parties have further met and conferred, and in an effort to reduce the issues for the Board's consideration, Petitioner intends to file a *Sotera* stipulation in both of the above proceedings, and seeks the Board's permission to do so. Petitioner believes that this obviates the need for any briefing on the *Fintiv* issue, and unless the Board deems otherwise, Petitioner withdraws its request for briefing on the *Fintiv* issues.

With respect to the claim construction of the term "multi-user detector decision unit" in the IPR2024-01247 proceeding, again, in an effort to focus on disputed substantive issues, Petitioner does not intend to oppose PO's means-plus-function construction for purposes of this proceeding. Petitioner makes this concession solely as a compromise; Petitioner maintains that its initial position that this term is *not* subject to 112 p.6 was correct. Petitioner adopts PO's construction because it is not an essential issue to resolve for this proceeding. Petitioner, however, believes that briefing on this issue may be beneficial to the Board, and will be prepared to discuss that at the hearing.

Petitioner looks forward to addressing any further questions the Board may have during the conference scheduled for 4:00 pm today.

Respectfully,
Jim Glass

James M. Glass |Chair, Post-Grant Patent Practice| **Quinn Emanuel Urquhart & Sullivan, LLP** | 51 Madison Avenue, 22nd Floor, New York, NY 10010 | Office: +1.212.849.7142| [Web Bio](#)

From: Jim Glass <jimglass@quinnemanuel.com>
Sent: Wednesday, December 18, 2024 12:08 PM
To: Trials <Trials@USPTO.GOV>; Amendt, Kevin <KCAmendt@mintz.com>; Quincy Lu <quincylu@quinnemanuel.com>
Cc: Meunier, William <WAMEunier@mintz.com>; Renaud, Michael <MTRenaud@mintz.com>; Mintz-Collision-IPRs <Mintz-Collision-IPRs@mintz.com>; QE-Samsung-Collision-IPR <qe-samsung-collision-ipr@quinnemanuel.com>
Subject: RE: IPR2024-01249

IPR2024-01247, -01249
Ex. 3003

Your Honors,

I write to provide the Board with the parties' joint availability for a call, and to provide a brief update.

We've reached out to Patent Owner, and the parties have joint availability on:

- Friday, 12/20, 3-5ET
- Monday, 12/23, 4-5ET

The parties may have additional joint availability on Monday. We are continuing our discussions and will revert with any additional availability.

Petitioner has also requested Patent Owner's availability today for a follow-up meet and confer; Petitioner is hopeful that additional discussions will at least focus the issues for the Board's consideration. Should the parties reach any resolution on the pending issues, we will report back to the Board.

We appreciate the time and attention the Board has given our request, especially given the upcoming holidays.

Respectfully,

Jim Glass

Lead Counsel for Petitioner

James M. Glass [Chair, Post-Grant Patent Practice] **Quinn Emanuel Urquhart & Sullivan, LLP** | 51 Madison Avenue, 22nd Floor, New York, NY 10010 | Office: +1.212.849.7142 | [Web Bio](#)

From: Jim Glass

Sent: Tuesday, December 17, 2024 1:37 PM

To: Trials <Trials@USPTO.GOV>; Amendt, Kevin <KCAmendt@mintz.com>; Quincy Lu <quincylu@quinnemanuel.com>

Cc: Meunier, William <WAMeunier@mintz.com>; Renaud, Michael <MTRenaud@mintz.com>; Mintz-Collision-IPRs <Mintz-Collision-IPRs@mintz.com>; QE-Samsung-Collision-IPR <qe-samsung-collision-ipr@quinnemanuel.com>

Subject: RE: IPR2024-01249

Your Honors, unfortunately I will be traveling at that time. We will reach out to PO and revert back with availability for Thursday, Friday, and Monday.

Respectfully,

Jim Glass

From: Trials <Trials@USPTO.GOV>

Sent: Tuesday, December 17, 2024 1:18 PM

To: Jim Glass <jimglass@quinnemanuel.com>; Amendt, Kevin <KCAmendt@mintz.com>; Quincy Lu <quincylu@quinnemanuel.com>; Trials <Trials@USPTO.GOV>

Cc: Meunier, William <WAMeunier@mintz.com>; Renaud, Michael <MTRenaud@mintz.com>;

Mintz-Collision-IPRs <Mintz-Collision-IPRs@mintz.com>; QE-Samsung-Collision-IPR <qe-samsung-collision-ipr@quinnemanuel.com>

Subject: RE: IPR2024-01249

[EXTERNAL EMAIL from trials@uspto.gov]

Counsel,

The Board would like to schedule a conference call to discuss Petitioner's requests for leave to file replies to Patent Owner's preliminary responses in IPR2024-01247 and IPR2024-01249. To accommodate the Board's schedules and avoid further delay, the call is scheduled for Wednesday, December 18th at 4:30PM Eastern time (1:30PM Pacific time). Please advise the Board immediately if you are unable to participate in a call at that date/time. Petitioner shall provide a court reporter for this call.

In addition to the issues raised in the parties' e-mail messages of December 16 and 17, the Board would like to discuss the following issues on this call:

1. The timing of Petitioner's requests.
2. The basis for Patent Owner's opposition to Petitioner's requests.
3. Whether Petitioner intends to provide any stipulations relating to Fintiv (e.g., Sotera or otherwise).
4. The parties' compliance with 37 CFR 42.8(b)(2), including whether either party was aware of the prior EDTX claim construction order as of the filing date of the parties' respective Mandatory Notices in IPR2024-01247, and if so when each party became aware of that order.

Best regards,
Eric W. Hawthorne
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Jim Glass <jimglass@quinnemanuel.com>

Sent: Tuesday, December 17, 2024 12:37 PM

To: Amendt, Kevin <KCAmendt@mintz.com>; Quincy Lu <quincylu@quinnemanuel.com>; Trials <Trials@USPTO.GOV>

Cc: Meunier, William <WAMeunier@mintz.com>; Renaud, Michael <MTRenaud@mintz.com>; Mintz-Collision-IPRs <Mintz-Collision-IPRs@mintz.com>; QE-Samsung-Collision-IPR <qe-samsung-collision-ipr@quinnemanuel.com>

Subject: RE: IPR2024-01249

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Your Honors,

Petitioner regrets extending this email chain, but must clarify the record, as Patent Owner improperly implies that Petitioner failed to proceed according to the rules. Petitioner informed Patent Owner of its request for a preliminary reply pursuant to 37 C.F.R. § 42.108(c) in a December 5 email, and provided its position on good cause in response to PO's request on December 9. On December 11, Patent Owner merely responded: "Patent Owner opposes," with no request for a further meet and confer, request for clarification, or otherwise. Based on this record, Petitioner reasonably concluded the meet and confer process had been completed, and that Petitioner had followed the proper procedure under 37 C.F.R. § 42.108(c) for requesting a preliminary reply.

Petitioner will not respond to PO's substantive arguments unless and until requested by the Board.

Should the Board prefer to schedule a telephonic hearing to discuss Petitioner's request pursuant to 37 C.F.R. § 42.108(c), Petitioner will reach out to PO and revert with the parties' availability.

Respectfully,
James Glass

James M. Glass |Chair, Post-Grant Patent Practice| **Quinn Emanuel Urquhart & Sullivan, LLP** | 51 Madison Avenue, 22nd Floor, New York, NY 10010 | Office: +1.212.849.7142| [Web Bio](#)

From: Amendt, Kevin <KCAmendt@mintz.com>

Sent: Tuesday, December 17, 2024 12:04 PM

To: Quincy Lu <quincylu@quinnemanuel.com>; Trials <Trials@USPTO.GOV>

Cc: Meunier, William <WAMeunier@mintz.com>; Renaud, Michael <MTRenaud@mintz.com>; Mintz-Collision-IPRs <Mintz-Collision-IPRs@mintz.com>; QE-Samsung-Collision-IPR <qe-samsung-collision-ipr@quinnemanuel.com>

Subject: RE: IPR2024-01249

[EXTERNAL EMAIL from kcamendt@mintz.com]

Your Honors,

Patent Owner Collision Communications, Inc., writes in response to Petitioner's improper December 16, 2024, email to the Board. Patent Owner regrets burdening the Board with additional email, but Petitioner did not seek Patent Owner's input or position on Petitioner's email, and its submission came as a surprise to Patent Owner.

Petitioner's email is improper for several reasons. First, Petitioner improperly moves for additional briefing without first requesting the necessary conference and prior authorization. *See, e.g.*, 37 C.F.R. § 42.20(b).

Second, although Petitioner acknowledged that it is improper for its email to include argument, Petitioner nonetheless then proceeded to include such improper argument.

Third, Petitioner's arguments are baseless. Petitioner seeks additional briefing on the applicability of

Fintiv, an issue that is routinely and foreseeably raised in preliminary responses. Petitioner already had the opportunity to present all of its *Fintiv* arguments in its Petition.

Sincerely,
Kevin Amendt
Member

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center, Boston, MA 02111
[+1.617.348.4863](tel:+16173484863)
KCAmendt@mintz.com | Mintz.com

From: Quincy Lu <quincylu@quinnemanuel.com>
Sent: Monday, December 16, 2024 3:32 PM
To: Trials <Trials@USPTO.GOV>
Cc: Amendt, Kevin <KCAmendt@mintz.com>; Meunier, William <WAMeunier@mintz.com>; Renaud, Michael <MTRenaud@mintz.com>; Mintz-Collision-IPRs <Mintz-Collision-IPRs@mintz.com>; QE-Samsung-Collision-IPR <qe-samsung-collision-ipr@quinnemanuel.com>
Subject: IPR2024-01249

Your Honors,

I am counsel of record for Petitioners in IPR2024-01249. I write on behalf of Petitioners to seek leave to submit a short (no more than 5 pages) Reply to be due within 14 days of a decision granting leave. Petitioners seek a Reply to address Patent Owner's arguments that the Board should exercise its discretion to deny institution under *Fintiv*.

Petitioners are mindful of both the Board's prohibition against argumentative emails to *Trials* and of 37 CFR § 42.108(c), which requires a request for a pre-institution Reply to "make a showing of good cause." Good cause exists because Petitioners could not have foreseen Patent Owner's arguments that the Board should deny institution under *Fintiv*.

Petitioners do not oppose Patent Owner receiving an equal-length sur-reply to be due within an equal time period.

The parties have met and conferred and Patent Owner opposes Petitioners' request.

To the extent the Board wishes to hold a hearing on this request, the parties will revert with their availability.

Respectfully,
Quincy Lu

Quincy Lu

Associate,

Quinn Emanuel Urquhart & Sullivan, LLP

1109 First Avenue, Suite 210

Seattle, WA 98101

Direct

206.905.7000 Main Office Number

206.905.7100 FAX

quincylu@quinnemanuel.com

www.quinnemanuel.com

NOTICE: The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not the intended recipient or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

STATEMENT OF CONFIDENTIALITY:

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, or the person responsible for delivering the email to the intended recipient, be advised you have received this message in error and that any use, dissemination, forwarding, printing, or copying is strictly prohibited. Please notify the Mintz, Levin, Cohn, Ferris, Glovsky and Popeo sender immediately, and destroy all copies of this message and any attachments.