

From: [Trials](#)
To: [Joshua Stowell](#); [Lit TSPVL.107LP3](#); [hamilton-ptab@perkinscoie.com](#); [parker-ptab@perkinscoie.com](#); [Joe Re](#); [Brian Barnes](#)
Cc: [Trials](#)
Subject: RE: Imperative Care, Inc. v. Inari Medical, Inc., IPR2024-01257
Date: Monday, December 9, 2024 9:01:06 AM

Counsel,

The Board authorizes the filing of the Preliminary Reply and Preliminary Sur-reply as requested in email dated December 5, 2024. The Preliminary Reply must be filed no later than December 16, 2024, and the Preliminary Sur-reply must be filed no later than December 23, 2024.

Regards,

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

From: Joshua Stowell <Joshua.Stowell@knobbe.com>
Sent: Thursday, December 5, 2024 7:53 PM
To: Trials <Trials@USPTO.GOV>
Cc: Lit TSPVL.107LP3 <LitTSPVL.107LP3@knobbe.com>; hamilton-ptab@perkinscoie.com; parker-ptab@perkinscoie.com; Joe Re <Joe.Re@knobbe.com>; Brian Barnes <Brian.Barnes@knobbe.com>
Subject: Imperative Care, Inc. v. Inari Medical, Inc., IPR2024-01257

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Re: *Imperative Care, Inc. v. Inari Medical, Inc.*
Case No. IPR2024-01257

Dear PTAB Trials,

Petitioner requests leave to file a 5-page reply brief to Patent Owner's Preliminary Response ("POPR") pursuant to 37 CFR § 42.108(c) to respond to the arguments identified below and leave for Patent Owner to file a 5-page sur-reply brief limited to responding to the reply. The parties have met and conferred, and Patent Owner does not oppose this request. Patent Owner's counsel is CC'd on this email.

Petitioner's reply will be limited to address the following two issues in the POPR.

Ex. 3001
IPR2024-01257

1. Patent Owner's argument that the Board should deny institution under 35 U.S.C. § 325(d) based on the patent prosecution history of U.S. Patent No. 11,642,209 found, for example, at pages 26-44 of the POPR.
2. Patent Owner's argument that the Board should deny institution under 35 U.S.C. § 314(a) based on the status of the district court litigation, *Inari Medical, Inc. v. Imperative Care, Inc.*, 5:24-cv-03117-EKL, found, for example, at pages 66-71 of the POPR.

Petitioner proposes to file the reply within one week of any order authorizing the reply and Patent Owner to file the sur-reply within one week from the reply.

If the Board would like to conduct a hearing to discuss this request, the parties are available at the following times for the requested conference call (all times eastern):

Monday, December 9: 12 p.m.-5 p.m. (ET)

Tuesday, December 10: 1 p.m.- 3 p.m. (ET)

Wednesday, December 11: 1 p.m.-5 p.m. (ET)

If a hearing is held, Petitioner will supply a court reporter for the call.

Best Regards,

Joshua Stowell

Counsel for Petitioner Imperative Care, Inc.

Joshua Stowell

Partner

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