

From: [Buroker, Brian M.](#)
To: [Trials](#)
Cc: [*** GDCInmar - Quotient; Wayne Helge; Whitcher, Emily; James Wilson; Denise De Mory; Elliot B. Robinson](#)
Subject: Quotient Technology, LLC v. Intelligent Clearing Network Inc.- IPR2024-01323, IPR2024-01324
Date: Monday, January 27, 2025 4:51:55 PM

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

To the Honorable Board:

Petitioner requests a conference call with the Board to ask permission to file replies to the Patent Owner's Preliminary Responses filed in the above two IPR proceedings (IPR2024-01323 and IPR2024-01324). Petitioner seeks leave to file a reply on one issue in each proceeding that it believes could not have been reasonably anticipated and that Petitioner believes further discussion would benefit the Board in its consideration on institution. Those issues are as follows:

1. IPR2024-01323: Patent Owner's argument based on an incorrect statement regarding Petitioner's proposed claim construction in District Court. Petitioner contends that it was unanticipated that Patent Owner would say that Petitioner was asking the District Court to construe the term "valid coupon" as used in claim element [1.5] and similar elements in other independent claims. Petitioner seeks to address that unanticipated argument.
1. IPR2024-01324: Patent Owner's arguments regarding prior art reference U.S. Patent No. 6,993,498 (Ex-1004). Patent Owner argues in its Preliminary Response that the coupon redemption validation process conducted by the server in Deaton is limited to the "process of crediting a store for a coupon redemption that has already occurred." Petitioner contends that Patent Owner's statements go against the clear teaching in Deaton. Petitioner seeks to address that unanticipated argument.

Petitioner contacted Patent Owner on January 9, 2025 requesting a

meet and confer on this request. The parties met and conferred on January 17, 2025 and then again by email.

Patent Owner's position:

Patent Owner disagrees that the above-stated issues are unanticipated. However, Patent Owner will not oppose Petitioner's request for limited additional briefing if Patent Owner is granted equal briefing in sur-reply.

On -1323, Patent Owner does not oppose a five-page reply if a five-page sur-reply is granted. Petitioner agrees with that proposal.

On -1324, Patent Owner does not oppose a three-page reply if it is permitted a three-page sur-reply. Petitioner agrees with that proposal.

The parties are available for a conference call on the following dates and times:

Tuesday, January 28: 2 – 5 Eastern
Wednesday, January 29: 4:30-5 Eastern
Thursday, January 30: 2 - 5 Eastern
Friday, January 31: 3-5 Eastern

Additional times can be submitted by the parties upon Board instruction.

Respectfully submitted,
Brian M. Buroker
Reg. No. 39,125
Counsel for Petitioner

Brian M. Buroker

Partner

T: +1 202.955.8541 | M: +1 703.927.2129
bburoker@gibsondunn.com

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1700 M St., N.W.; Washington DC 20036-4504

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.
