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To: [James Moore](#); [Todd Walters](#); [Mythili Markowski](#); [Tate.Tischner@troutman.com](#); [bryan.smith@troutman.com](#)
Cc: [Trials](#)
Subject: IPR2024-01360, Cargill Inc. v. Bunge Loders Croklaan USA, Inc.
Date: Monday, January 27, 2025 9:34:35 AM

Counsel,

Petitioner's request for leave to file a five-page reply to the Patent Owner's Preliminary Response is granted. As per Petitioner's request, the reply should be filed within two business days of this correspondence.

Patent Owner is granted leave to file a four-page sur-reply within five business days of the filing of Petitioner's Reply.

Regards,

Tina Lee
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: James Moore <james.moore@bipc.com>
Sent: Friday, January 10, 2025 12:58 PM
To: Trials <Trials@USPTO.GOV>
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Subject: IPR2024-01360, Cargill Inc. v. Bunge Loders Croklaan USA, Inc.

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Dear Honorable Board:

Petitioner seeks leave to file a five-page Reply to the Patent Owner's Preliminary Statement (POPR).

Petitioner asserts that it was unforeseeable that Patent Owner would in its POPR (1) change the basic thrust of the arguments made by Petitioner from obviousness to anticipation and argue based upon a different standard, and (2) make arguments based upon a limitation that is not contained within the claims. Additionally, Petitioner asserts that much of the POPR relies upon unsupported testimony and at best raises issues of fact to be determined at trial. These issues requiring institution of trial would be further highlighted in the reply.

Petitioner will be ready to file the Reply within two days of a decision by the Board to grant leave to file the Reply.

After conferring, Patent Owner contests Petitioner's above characterizations, but does not object to the request for leave provided that Patent Owner is granted leave to file a

four-page sur-reply within 7 days after the filing of Petitioner's Reply.

Should the Board wish to have a telephone conference to discuss this request, the parties are available: January 14 and 15: 1 pm ET to 5 pm ET; and January 16: 10 am, 2 pm or 4 pm ET.

Respectfully submitted,

Jay Moore
Backup Counsel for Petitioner Cargill, Inc.

James T. Moore

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