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Subject: IPR2024-01441: Request for Authorization for Preliminary Reply
Date: Tuesday, February 25, 2025 10:09:32 AM

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Dear Honorable Board,

Petitioner respectfully requests authorization to file a preliminary reply in IPR2024-01441 to address Patent Owner's arguments regarding Section 325(d) (Patent Owner's Preliminary Response (Paper 6) at 61-69). Good cause exists for a preliminary reply because Petitioner could not have anticipated, for example, Patent Owner's arguments that certain of the references in the unpatentability grounds are cumulative of references previously before the Office, and Petitioner should have a fair opportunity to address Patent Owner's Section 325(d) arguments. Petitioner requests a conference call to discuss these issues.

Petitioner requests a 5-page preliminary reply and to file it within two weeks of receiving authorization. Petitioner does not oppose Patent Owner being authorized to file a preliminary sur-reply of equal length within two weeks of the filing of the preliminary reply and limited to the issues discussed in the preliminary reply.

Petitioner has conferred with Patent Owner, and Patent Owner opposes Petitioner's request to submit a preliminary reply as lacking any good cause basis, at least because Petitioner already took the opportunity to address whether its Grounds present "substantially the same art," *i.e.*, cumulative references, as those previously before the Office under Section 325(d) (*see* Petition (Paper 2) at 69-72). If, however, Petitioner is granted leave to file its requested preliminary reply, Patent Owner respectfully requests leave to file a commensurate preliminary sur-reply.

The parties are available at the following date and times for a conference call (and confer and provide additional dates and times if requested):

Wednesday, February 26 from 3-4:30 ET

Best regards,

Jessica Kaiser
PARTNER

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IPR2024-01441
Exhibit 3001

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