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Subject: Unopposed Request for Reply briefing in Deere & Co. (Petitioner) v. David's Dozer V-Loc Sys. Inc. (Patent Owner), Case No. IPR2024-01442
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Your Honors,

Petitioner respectfully requests authorization for briefing in the form of a 10-page Reply to Patent Owner's Preliminary Response (POPR) IPR2024-01442. Petitioner does not oppose Patent Owner's submission of an equivalent Sur-Reply. Petitioner respectfully submits that no new evidence should accompany either the Reply or Sur-Reply.

The parties have conferred, and Patent Owner does not oppose this request.

If granted, Petitioner's Reply would address arguments in the POPR:

- [1] asserting and relying on various explicit/implicit claim constructions that introduce extraneous narrowing limitations (*e.g.*, POPR at 12–17, 25–27, 43–45, 51–52); and
- [2] asserting that discretionary denial under §325(d) is appropriate based on the examiner's consideration of allegedly cumulative prior art (POPR at 58–61).

Petitioner respectfully submits that good cause for further briefing on these issues exists, at least because briefing would clarify the record and aid the Board in deliberations on issues that are potentially dispositive to institution. More, Petitioner could not have reasonably anticipated that Patent Owner would seek to introduce narrowing constructions that inject new limitations into the Challenged Claims. Nor could Petitioner have foreseen Patent Owner's request for discretionary denial under §325(d) where, as here, the asserted prior art combinations were not considered by the examiner and the Challenged Claims issued without receiving a prior art rejection. If requested by the Board, Petitioner will provide further explanation of good cause, but Petitioner limits the present narrative out of respect for the Board's consistent request for emails to be limited to defining issues without argumentative content.

In connection with this unopposed request, the parties propose the briefing schedule outlined below:

Preliminary Response Filed	Institution Deadline	Petitioner's Reply Deadline	Patent Owner's Sur-Reply Deadline
12/19/24	3/19/25	Within <u>10 business days</u> of the Board's authorization	Within <u>10 business days</u> of Petitioner's Reply

Respectfully,

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