**From:** Trials <Trials@USPTO.GOV>
**Sent:** Monday, February 24, 2025 10:04 AM
**To:** Hyun Jin In; Daniel E. Yonan; Michael Specht; Jonah Margosis; jamespak@quinnemanuel.com; jimglass@quinnemanuel.com; PTAB Account; quincylu@quinnemanuel.com; davidelihu@quinnemanuel.com; Chase Hammond; qe-skn-solus-ipr@quinnemanuel.com; Jennifer Chagnon; johnyin@quinnemanuel.com; Jason Fitzsimmons; IPR57533-0001IP1; IPR57533-0002IP1; IPR57533-0003IP1; IPR57533-0004IP1; Tim Riffe
**Cc:** Trials
**Subject:** RE: IPR2024-01460, IPR2024-01461, IPR2024-01462, and IPR2024-01463: Request for Reply to Patent Owner Preliminary Response

**Importance:** High

[This email originated outside of F&R.]

Counsel,

Petitioner's request to file a reply to Patent Owner's Preliminary Response in each proceeding is granted. The reply shall be limited to the issues of discretionary denial addressed in the Preliminary Response, shall be no more than 5 pages in length, and is due on or before March 3, 2025.

Patent Owner may file a sur-reply in each proceeding. The sur-reply shall be no more than 5 pages in length and is due on or before March 10, 2025.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366

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**From:** Hyun Jin In <in@fr.com>
**Sent:** Thursday, February 20, 2025 3:40 PM
**To:** Trials <Trials@USPTO.GOV>
**Cc:** Michael Specht <MSPECHT@sternekessler.com>; Jonah Margosis <JMargosis@sternekessler.com>; jamespak@quinnemanuel.com; jimglass@quinnemanuel.com; PTAB Account <PTAB@sternekessler.com>; quincylu@quinnemanuel.com; davidelihu@quinnemanuel.com; Chase Hammond <CHAMMOND@sternekessler.com>; qe-skn-solus-ipr@quinnemanuel.com; Jennifer Chagnon <JChagnon@sternekessler.com>; johnyin@quinnemanuel.com; Daniel E. Yonan <DYONAN@sternekessler.com>; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; IPR57533-0001IP1 <IPR57533-0001IP1@fr.com>; IPR57533-0002IP1 <IPR57533-0002IP1@fr.com>; IPR57533-0003IP1 <IPR57533-



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IPR2024-01461

0003IP1@fr.com>; IPR57533-0004IP1 <IPR57533-0004IP1@fr.com>; Tim Riffe <riffe@fr.com>
**Subject:** IPR2024-01460, IPR2024-01461, IPR2024-01462, and IPR2024-01463: Request for Reply to Patent Owner Preliminary Response

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Your Honors:

In the preliminary responses filed in IPR2024-01460, IPR2024-01461, IPR2024-01462, and IPR2024-01463, Patent Owner raised arguments related to discretionary denial under 35 U.S.C. §314(a). In the preliminary responses filed in IPR2024-01460 and IPR2024-01461, Patent Owner further raised arguments related to discretionary denial under 35 U.S.C. §325(d). Petitioner requests authorization to file a 5-page reply to address these arguments from the preliminary responses. Notably, while the petitions as filed included arguments against discretionary denial, Petitioner asks for the opportunity to respond to the specific points raised on this issue by Patent Owner in the POPRs.

The parties have conferred, and Patent Owner opposes a Petitioner's reply limited to addressing the discretionary denial arguments raised by Patent Owner in each of the preliminary responses. Petitioner believes good cause exists to allow Petitioner to address discretionary denial arguments in light of Patent Owner's arguments and to address developments that have occurred after petition filing. For instance, Patent Owner's *Fintiv* analysis cites to various decisions that came out after petition filing, and Petitioner further notes that the filing date did not get accorded for over a month after filing. Patent Owner does not oppose provided that Petitioner's reply is limited to addressing (1) any decision relied upon by Patent Owner in its preliminary response that issued subsequent to the Petition filing date, and (2) the issue of the timing of the filing date getting accorded. If the Board grants Petitioner's request, Patent Owner requests authorization to file a sur-reply of equal length.

Should the Board desire a call with the parties in connection with this request, the parties will confer and offer times of joint availability.

Respectfully submitted,
Hyun Jin In
Counsel for Petitioner

**Hyun Jin (HJ) In, Ph.D.**
Principal ■ Fish & Richardson P.C.

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