
From: Cliff Brazen <cliff.brazen@eriseip.com>
Sent: Thursday, December 26, 2024 2:40 PM
To: Trials <Trials@USPTO.GOV>; miller.mark@dorsey.com
Cc: jennifer.bailey@eriseip.com; virginia.brown@eriseip.com; hales.elliott@dorsey.com; Jones.Anthony@dorsey.com
Subject: Re: Conference Call request in IPR2025-00110 and IPR2025-00111 re: Filing of Petition Ranking and Explanation Document

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Dear Board,

Patent Owner respectfully requests the Board grant the parties' request for a conference in light of the cost and time Patent Owner will be required to expend to substantively respond to a second improper Petition.

Cliff Brazen

On Dec 26, 2024 at 11:59 AM -0600, miller.mark@dorsey.com, wrote:

Dear Board,

Petitioner in IPR2025-00110 and IPR2025-00111 writes to request a conference call to seek leave to file a "ranking and explanation for multiple petitions" filing of the type discussed at pages 59-60 of the November 2019 PTAB Consolidated Trial Practice Guide to assist the Board in determining whether to address both petitions on their merits or whether to exercise its discretion to deny one of the petitions referenced above, should it find both fit for institution.

Patent Owner's counsel, copied here, objects to the proposed filing on the basis of untimeliness and futility. Counsel for both parties have conferred via multiple email exchanges, but have not yet conferred in person or via telephone, because the email communications demonstrated the parties do not dispute the underlying relevant facts, but fundamentally disagree on whether

Petitioner should be allowed to file a petition ranking and explanation document at this time.

Both parties are available for a conference call during the afternoons of January 3, 6, and 7 between 1:00 pm and 5:00 pm Eastern Time.

Respectfully,

Mark Miller

Partner, Office Head, Salt Lake City



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