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Subject: Abbott v. Miracor (IPR2025-00096, 00112-00116) | Request by Petitioner for Leave to Reply to Patent Owner's Preliminary Response

Your Honors,

The Petitioner requests authorization pursuant to 37 C.F.R. §42.108(c) to file replies limited to five pages to each of Patent Owner's Preliminary Patent Owner Responses filed in six related IPRs. IPR2025-00096; IPR2025-00112 – IPR2025-00116. In particular, Petitioner seeks to address arguments it could not have reasonably foreseen including: (1) addressing a claim construction argument in Patent Owner's Preliminary Response that contradicts infringement positions that Patent Owner has taken in related district court litigation; (2) addressing Patent Owner's argument that the Petition used improper formatting that contradicts its own use and more recent Board precedent; and (3) update the Board regarding a partial stay of the related litigation at the district court. The Petitioner proposes to file its reply 5 business days after the Board's decision if granted.

Petitioner does not oppose the Patent Owner having a sur-reply of equal length to address Petitioner's replies on these issues.

Patent Owner disagrees with Petitioner's statement of the issues and believes further briefing is not appropriate.

First, Petitioner wishes to address the claim construction of "axially adjacent." Petitioner and its expert construed this term based on infringement allegations attached to the complaint in the co-pending litigation. IPR2025-00096 Paper 1 (Pet.) at 26; Pet. at 27; Ex. 1003 (Crosby), ¶ 355; Ex. 1019 at 6-7. In response, Patent Owner criticized this construction. Paper 10 (POPR) at 17-19, 5-7. Patent Owner believes that further briefing is not necessary.

Second, Patent Owner believes that Petitioner's proposed reply is inappropriate.

Third, Patent Owner submits that the partial stay of the co-pending litigation requires no briefing here.

If the Board prefers to have a conference call, the parties are generally on Monday 3/17 or during the week of 3/24.

Respectfully submitted,

Saranya Raghavan

Partner

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Exhibit 3001

IPR2025-00096, IPR2025-00112, IPR2026-00113,
IPR2025-00114, IPR2025-000115, IPR2025-00116

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Pronouns: She, Her, Hers



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Exhibit 3001

IPR2025-00096, IPR2025-00112, IPR2026-00113,
IPR2025-00114, IPR2025-000115, IPR2025-00116