

Anger, Ben

From: Trials <Trials@USPTO.GOV>
Sent: Monday, December 8, 2025 10:16 AM
To: McKeown, Scott A.; Fernandez, Roberto J.; Anger, Ben; EunsungIPR; MLB-HydraFacial-IPR-287-2
Cc: Trials
Subject: RE: IPR2025-00145 - Additional Discovery

[EXTERNAL EMAIL]

Counsel,

The Board grants Patent Owner's request to file a Motion for Additional Discovery directed to the issue of whether additional entities related to the Sinclair/Viora Petitioners should have been listed as real parties in interest in the Petition. Patent Owner's motion is due December 15, 2025. Petitioner's opposition is due December 22, 2025. No further briefing is authorized at this time.

Regards,

Tina Williams
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Anger, Ben <ben.anger@morganlewis.com>
Sent: Monday, December 8, 2025 9:37 AM
To: Trials <Trials@USPTO.GOV>
Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>; Fernandez, Roberto J. <rfernandez@foley.com>
Subject: IPR2025-00145 - Additional Discovery

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Dear Board:

Patent Owner HydraFacial is writing to request authorization to file a motion for additional discovery narrowly directed to the issue of whether additional entities related to the Sinclair/Viora Petitioners ("Sinclair") should have been listed as real parties in interest (RPIs) in the Petition.

Patent Owner's Position

As reflected in the parties' correspondence below, HydraFacial provided Sinclair with its proposed discovery requests and asked if the parties could reach agreement on the scope of additional discovery between themselves pursuant to 37 C.F.R. § 42.51(b)(2)(i). During the meet and confer, Sinclair initially offered to allow cross use of its materials from the prior ITC case in this IPR, just as it had agreed to in the co-pending district court case. However, Sinclair later followed up via email to withdraw its cross-use proposal and outright rejected any additional discovery on the RPI subject.

HydraFacial believes that the additional discovery is timely and is in the interests of justice, particularly in view of the Director’s memorandum dated October 28, 2025 restoring the RPI analysis to the pre-*SharkNinja* standard and designating *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) as precedential. In short, HydraFacial is seeking discovery narrowly tailored to the subject of whether corporate entities related to Sinclair, including Huadong Medicine Co., Ltd. (“HMC”) and High Technology Products S.L.U. (“High Technology”), qualify as RPIs and should have been listed as RPIs in the petition. HMC is the parent company to Sinclair Pharma Limited, Sinclair Pharma US, Inc., Viora, Inc., and High Technology, and has a pecuniary interest in the IPR; High Technology is involved in importation of the product that HydraFacial has accused of infringing the ’287 patent and likely has a pecuniary interest in the IPR.

Please note that Sinclair provided its position below after HydraFacial had already circulated its position to Petitioners. Rather than address Sinclair’s lengthy and argumentative position in this email, HydraFacial will gladly address the arguments via a conference call with the Board or via the briefing HydraFacial is requesting.

Petitioner Sinclair’s Position

Petitioners Sinclair Pharma Limited, Sinclair Pharma US, Inc., and Viora, Inc. object to Patent Owner’s Requests for Production (RFPs) for three reasons.

First, the RFPs seek additional discovery but do not satisfy the requisite standard. According to the Trial Practice Guide, requests for additional discovery are reviewed by the Board under the in the “interests of justice” standard and guided primarily by the factors set forth in the Board’s precedential decision in *Garmin Int’l, Inc. v. Cuozzo Speed Techs. LLC*, IPR2012-00001 (PTAB Mar. 5, 2013) (Paper 26). Petitioners have explained to Patent Owner that the additional discovery does not satisfy at least *Garmin* factors 1, 3, and 5. Under factor 1, and as to at least RFPs 3-9, Patent Owner offers nothing more than mere speculation that something favorable in substantive value to a contention will be found. Under factor 3, and as to at least RFPs 1-2, Patent Owner acknowledges that its RFPs are based on publicly available information. See, e.g., *Dynamic Air Inc. v. M-I Drilling Fluids UK Ltd.*, IPR2016-00260 (PTAB Nov. 30, 2016) (Paper 39). Under factor 5, at least RFPs 3-9 are broad sweeping and would require extensive effort for Petitioners to produce, especially at this late stage of the proceeding. Specifically, Patent Owner’s requests target communications which would involve e-mail discovery much of which would likely be privileged.

Second, any such RPI argument was waived by Patent Owner long ago. Patent Owner admits its requests are based on publicly available information. The IPR is long past institution, all experts have been deposed, Petitioners’ response is being prepared and will soon be filed, and the IPR is headed for trial. Most importantly, Patent Owner waived its POPR and did not raise any RPI issue in its Patent Owner Response. The Board has routinely found IPR arguments at this stage waived. See *Tik-Tok v. Cellspin Soft*, IPR2024-00757, Paper 33 (June 2, 2025) (“Where, as here, Patent Owner could have raised, but did not raise, the RPI issue in its Patent Owner Response, a finding of waiver is appropriate. See, e.g., *Apple Inc. v. MemoryWeb, LLC*, IPR2022-00031, Paper 85, 20–32 (PTAB Dec. 8, 2023); *Unified Patents v. JustService.net LLC*, IPR2020-01258, Paper 41, 3 (PTAB Feb. 16, 2022); *Unified Patents Inc. v. Mobility Workx, LLC*, IPR2018-01150, Paper 26, 3 (PTAB Dec. 2, 2019); *Funai Elec. Co. v. Gold Charm Ltd.*, IPR2015-01468, Paper 40, 49–50 (PTAB Dec. 27, 2016); *Unified Patents Inc. v. Nonend Inventions N.V.*, IPR2016-00174, Paper 26, 6–7 (PTAB May 8, 2017”). The Director’s memorandum that Patent Owner references above impacts only “petitions before institution” and makes no mention of petitions headed to trial.

Third, Patent Owner's desired remedy (a granted motion for termination) is inappropriate at this stage. In considering a similar situation, the Board found that where addition of a party as an RPI would not create time bar or estoppel issues, termination is not appropriate. See *Tik-Tok*, IPR2024-00757, Paper 33 at 8-9; see also *Applications in Internet Time, LLC v. RPX Corp.*, 897 F.3d 1336, 1350 (Fed. Cir. 2018) ("AIT"); *RPX Corp. v. Applications in Internet Time, LLC*, IPR2015-01750, Paper 128 (PTAB Oct. 2, 2020) (precedential). Here, the foreign entities in question have not been accused of infringing the relevant patent so there can be no potential time bar. In the event there was an RPI issue, Petitioner could merely update its initial disclosures and add these entities as RPIs without affecting the substance of the IPR.

While *Tik-Tok* is currently undergoing Director review, that review does not appear to impact the Board's holdings that are relevant to this IPR. See *Tik-Tok v. Cellspin Soft*, IPR2024-00757, Paper 33 (June 2, 2025). Indeed, the acting Director noted there how the Board referenced *SharkNinja Operating LLC iRobot Corp.*, IPR2020-00734, Paper 11 (PTAB Oct. 6, 2020) (precedential), the same decision restored in the memo, in its decision as to finding termination is not appropriate absent a time bar or estoppel issue. Thus, it appears the Director is focused in *Tik-Tok* on the novel issue presented there on unique facts involving the Chinese Communist Party ("CCP") and pursuant to the Supreme Court ruling in *Return Mail Inc. v. United States Postal Service* 587 U.S. 618 (2019). If the Board's holdings in *Tik-Tok* were going to be reversed, the Director would have done so before issuing the memo that clearly states that the memo applies only to pre-institution IPRs.

AMP Petitioners

"Aesthetic Management Partners LLC/Inc., (AMP), takes no position on PO's request since it is a dispute solely with independent petitioners (Sinclair). As such, should a call be conducted, AMP will not plan on attending unless the panel believes it helpful."

The parties can make themselves available for a conference call should the Board so desire.

Counsel for Petitioners are included on this email.

Ben Anger

Morgan, Lewis & Bockius LLP

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From: Anger, Ben

Sent: Thursday, December 4, 2025 9:47 AM

To: 'Fernandez, Roberto J.' <RFernandez@foley.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael

<Michael.Rader@WolfGreenfield.com>; McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Subject: RE: Routine Discovery

Roberto –

It is unfortunate that the Sinclair/Viora Petitioners have changed their position and are withdrawing their proposal for cross-use of materials from the ITC case, particularly given that Sinclair has already agreed to cross use of ITC materials in the co-pending district court case. See *HydraFacial LLC v. Sinclair Pharma Limited et al.*, Case No. 2:24-CV-06250, Dkt. 50. Sinclair has no justifiable basis for withholding the ITC materials for use in the IPR.

I also wanted to briefly address a couple additional points that Petitioners raised during our meet and confer on Tuesday 12/2. First, Petitioners alleged for the first time on our call on Tuesday that HydraFacial's request for discovery and HydraFacial's contemplated motion to terminate would be untimely. This is incorrect. On October 28, 2025, the Director issued a memorandum discussing the RPI issue and designating *Corning Optical* as precedential, restoring the RPI analysis to the pre-*SharkNinja* standard. Shortly thereafter HydraFacial contacted Petitioners to pursue additional discovery related to the RPI issue.

Second, during our call, Petitioners pointed to a Board decision in *Tik-Tok v. Cellspin Soft*, IPR2024-00757, Paper 33 (June 2, 2025) as support for their position that a motion to terminate would be untimely. However, Petitioners apparently failed to appreciate that three days after the Board issued that order, the Director initiated *Sua Sponte* Director Review to reconsider the Board's decision and stayed the case. See *Tik-Tok v. Cellspin Soft*, IPR2024-00757, Paper 34 (June 5, 2025).

Given Petitioners' reversal on cross use of ITC materials, HydraFacial will proceed with contacting the Board to request authorization to file a motion for additional discovery. We will include this correspondence as part of our email to the Board.

Best

Ben

Ben Anger

Morgan, Lewis & Bockius LLP

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Assistant: Leslie Y. Garcia | +1.714.830.0455 | leslie.y.garcia@morganlewis.com

ben.anger@morganlewis.com | www.morganlewis.com



From: Fernandez, Roberto J. <RFernandez@foley.com>

Sent: Wednesday, December 3, 2025 2:52 PM

To: Anger, Ben <ben.anger@morganlewis.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael

<Michael.Rader@WolfGreenfield.com>; McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Subject: RE: Routine Discovery

[EXTERNAL EMAIL]

Ben,

While we explored the option of providing the ITC discovery during the meet and confer as a possible compromise, on further consideration we think the RFPs are objectionable outright for reasons we provided, and we do not agree to comply.

Best,

-Roberto

Roberto J. Fernandez

Foley & Lardner LLP

321 N Clark St., Suite 3000, Chicago, IL 60654-4762

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From: Anger, Ben <ben.anger@morganlewis.com>

Sent: Monday, December 1, 2025 5:25 PM

To: Fernandez, Roberto J. <RFernandez@foley.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael

<Michael.Rader@WolfGreenfield.com>; McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Subject: RE: Routine Discovery

***** EXTERNAL EMAIL MESSAGE *****

Hi Roberto,

Let's plan to hold the meet and confer tomorrow 12/2 at 9:30am CT / 7:30 am PT. Thanks

Ben Anger

Morgan, Lewis & Bockius LLP

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Assistant: Leslie Y. Garcia | +1.714.830.0455 | leslie.y.garcia@morganlewis.com

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From: Fernandez, Roberto J. <RFernandez@foley.com>

Sent: Monday, December 1, 2025 2:42 PM

To: Anger, Ben <ben.anger@morganlewis.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael <Michael.Rader@WolfGreenfield.com>; McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Subject: RE: Routine Discovery

[EXTERNAL EMAIL]

Ben,

We have considered your email and would like to meet and confer to discuss with you. We are available at the following times:

- 12/2
 - 9:00am CT–11:30am CT
 - 1:00pm CT–5:00pm CT
- 12/5
 - 10:30am CT–11:00am CT
 - 12:00pm CT–2:30pm CT

Please let us know what time works for you and we will circulate a Teams invitation.

-Roberto

Roberto J. Fernandez

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From: Anger, Ben <ben.anger@morganlewis.com>

Sent: Friday, November 28, 2025 5:06 PM

To: Fernandez, Roberto J. <RFernandez@foley.com>; McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael <Michael.Rader@WolfGreenfield.com>

Subject: RE: Routine Discovery

***** EXTERNAL EMAIL MESSAGE *****

Roberto,

In your email below, you have cited to the Consolidated Trial Practice Guide (CTPG) but have ignored the CTPG's specific discussion related to RPI discovery where it indicates that "identifying real parties-in-interest" is an area where additional discovery is frequently sought and where focused requests for additional discovery may be permitted. See CTPG at 28. Furthermore, you have failed to address the authority cited in my email below—the Director's memo, the Corning case, and the Greenthread case—

all of which reflect the PTAB's current rules for RPI discovery and support HydraFacial's request for targeted discovery on the RPI issue in this matter.

Nevertheless, to briefly address your request, I note that HydraFacial has become aware, based on publicly available information, that Huadong Medicine Co., Ltd. is the parent company to Sinclair Pharma Limited, Sinclair Pharma US, Inc., Viora, Inc., and High Technology Products S.L.U. Further, HydraFacial has also become aware that EMA Aesthetics manufactures the Preime system, which is imported into the United States from Europe via Sinclair, Viora, Inc., and/or High Technology Products S.L.U., and sold under Sinclair's Préime brand to customers in the United States. The petition in this matter failed to list as RPIs at least Huadong Medicine Co., Ltd. and High Technology Products S.L.U.

HydraFacial's discovery requests are narrowly tailored to, e.g., the corporate relationships between the Huadong entities, their involvement in the IPR, the existence of overlapping executive leadership, and the relationship with suppliers of the Prieme system (including EMA). These requests all go towards whether at least Huadong Medicine Co., Ltd. and High Technology Products S.L.U. should have been listed as RPIs in the petition.

Please let us know by 12 noon ET on Monday December 1, 2025 if Sinclair and Viora will agree to the requested additional discovery. Otherwise, at that time we will send an email to the Board seeking authorization to file a motion for additional discovery.

Best,
Ben

Ben Anger

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From: Fernandez, Roberto J. <RFernandez@foley.com>

Sent: Wednesday, November 26, 2025 1:45 PM

To: McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael <Michael.Rader@WolfGreenfield.com>; Anger, Ben <ben.anger@morganlewis.com>

Subject: RE: Routine Discovery

[EXTERNAL EMAIL]

Counsel,

Further to my email below, we have reviewed the Office's Patent Trial Practice Guide as it relates to additional discovery. The Guide sets forth factors considered by the Board to be important in authorizing and deciding a

motion for additional discovery. The first such factor is: “‘The mere possibility of finding something useful, and mere allegation that something useful will be found, are insufficient to demonstrate that the requested discovery is necessary in the interest of justice. The party requesting discovery should already be in possession of evidence’ or reasoning ‘tending to show beyond speculation that in fact something useful will be uncovered.’” *Garmin Int’l, Inc. v. Cuozzo Speed Techs. LLC*, Case IPR2012-00001 (PTAB Mar. 5, 2013) (Paper 26) (precedential) slip op. at 6. *See, e.g., Mylan Pharmaceuticals Inc. v. Allergan Inc.*, Case IPR2016-01127 (PTAB May 31, 2017) (Paper 28) (granting additional discovery of data underlying figures relied on by the patent owner in order for the petitioner to fully develop its rebuttal to patent owner’s evidence of unexpected results). Additionally, “‘useful’ . . . does not mean merely ‘relevant’ and/or ‘admissible,’” but rather “means favorable in substantive value to a contention of the party moving for discovery.” *Garmin*, Case IPR2012-00001, slip op. at 7. *See, e.g., Corning Inc. v. DSM IP Assets B.V.*, Case IPR2013-00043 (PTAB June 21, 2013) (Paper 27) (finding that laboratory notebooks were per se useful because they contained protocols and procedures used to synthesize and test oligomers and coatings that were relied on by the petitioner’s expert to demonstrate unpatentability of the challenged claims).

Another factor important to the Board according to the Guide is: “Production by another of ‘[i]nformation a party can reasonably figure out or assemble without a discovery request would not be in the interest of justice. . . .” *Garmin*, Case IPR2012-00001, slip op. at 6. *See, e.g., Dynamic Air Inc. v. M-I Drilling Fluids UK Ltd.*, Case IPR2016-00260 (PTAB Nov. 30, 2016) (Paper 39) (denying petitioner’s request for additional documents and deposition partly because petitioner did not show that it could not obtain information about the state of the art and properties of drill cuttings by other means). “In that connection, the Board would want to know the ability of the requesting party to generate the requested information without need of discovery.” *Garmin*, Case IPR2012-00001, slip op. at 6.”

Can you please provide the evidence or reasoning “tending to show beyond speculation that in fact something” “favorable in substantive value” to your contention will be uncovered by the requested additional discovery? Please also explain why such evidence or reasoning cannot be reasonably figured out or assembled without the requested additional discovery.

We await your reply.

-Roberto

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From: Fernandez, Roberto J.

Sent: Monday, November 24, 2025 4:58 PM

To: McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>; Anger, Ben <ben.anger@morganlewis.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; EunsungIPR <EunsungIPR@foley.com>; MLB-

HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael
<Michael.Rader@WolfGreenfield.com>

Subject: RE: Routine Discovery

Counsel,

Sinclair Pharma Limited, Sinclair Pharma US, Inc., Viora, Inc., and EMA Aesthetics, Ltd. also strongly disagree that Patent Owner is entitled to additional discovery on this issue, or any other. Sinclair Pharma Limited, Sinclair Pharma US, Inc., Viora, Inc., and EMA Aesthetics, Ltd. are considering the Requests and will provide a complete reply to your email soon.

-Roberto

Roberto J. Fernandez

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From: McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Sent: Monday, November 24, 2025 3:28 PM

To: Anger, Ben <ben.anger@morganlewis.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; Fernandez, Roberto J. <RFernandez@foley.com>;

EunsungIPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>;

Rader, Michael <Michael.Rader@WolfGreenfield.com>

Subject: RE: Routine Discovery

***** EXTERNAL EMAIL MESSAGE *****

Counsel,

AMP strongly disagrees that Patent Owner is entitled to additional discovery on this issue, or any other. Nevertheless, to avoid a further waste of resources, AMP has voluntarily responded (attached).

You will note that AMP's response identifies requested production already in your possession.

Scott

From: Anger, Ben <ben.anger@morganlewis.com>

Sent: Thursday, November 20, 2025 8:08 PM

To: McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Cc: PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; Fernandez, Roberto J. <rfernandez@foley.com>;

EunsungIPR@foley.com; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael

<Michael.Rader@WolfGreenfield.com>

Subject: RE: Routine Discovery

Counsel,

HydraFacial will agree to produce the full QSight report (July 2025) from which Exhibit 2145 was derived, and will designate it as “Confidential Business Information, Subject to Protective Order.” Thus, as with Exhibit 2145, the full QSight report will be limited to review by Outside Counsel and to the Support Personnel who have complied with the terms of the Modified Protective Order (Exhibit 2024). We will plan to produce it on Friday November 21, 2025.

RPI Discovery

Separately, HydraFacial believes that Petitioners should have listed additional entities as Real Parties in Interest (RPIs) in this matter. To that end, HydraFacial intends to seek additional targeted discovery from Petitioners related to the RPI issue pursuant to 37 C.F.R. § 42.51(b)(2)(i). As you know, Section 42.51(b)(2)(i) permits the parties to agree to additional discovery between themselves. I have attached HydraFacial’s proposed Requests for Production. Please let us know if Petitioners will agree to this limited additional discovery without the parties needing to burden the Board with motion practice.

If Petitioners do not agree to the limited additional discovery, HydraFacial will request authorization from the Board to file a motion for additional discovery. We believe the additional discovery is in the interest of justice, particularly in view of the Director’s memorandum dated October 28, 2025 regarding the RPI requirement, the Director’s designation of *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) as precedential, and the Acting Director’s Order authorizing discovery in *Semiconductor Components Industries, LLC v. Greenthread, LLC*, IPR2023-01242, IPR2023-01243, IPR2023-01244, Paper 94 (April 24, 2025).

Please let us know by EOD Friday November 21, 2025 if Petitioners will agree to this limited additional discovery.

Best,
Ben

Ben Anger

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From: McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>

Sent: Tuesday, November 11, 2025 3:53 PM

To: Anger, Ben <ben.anger@morganlewis.com>

Cc: McKeown, Scott A. <Scott.McKeown@WolfGreenfield.com>; PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; Fernandez, Roberto J. <rfernandez@foley.com>; Eunsung IPR <EunsungIPR@foley.com>; MLB-HydraFacial-IPR-287-2 <MLB-HydraFacial-IPR-287-2@morganlewis.com>; Rader, Michael

<Michael.Rader@WolfGreenfield.com>

Subject: Routine Discovery

[EXTERNAL EMAIL]

Counsel,

During today's cross-examination of Mr. Savsani, Petitioners requested the production of the full Qsight report (July 2025) from which Exhibit 2145 was derived. This request was based upon the fact that this full report was alluded to in Mr. Savsani's declaration (Ex. 2009), and testimony today elicited from Mr. Savsani confirmed that exhibit 2145 is but a partial component of the July Report. 37 C.F.R. 42.51(b)(1)(i).

By COB tomorrow, please identify a date certain by which these materials will be produced.

Thank you.



Scott McKeown

(Mik-Q-En)

Shareholder

Admitted to Practice: VA & DC

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