

Jeremy Monaldo

From: Jeremy Monaldo
Sent: Wednesday, May 14, 2025 9:49 AM
To: Trials; ben.anger@morganlewis.com; Sangki Park; Jia Zhu; IPR58484-0002IP1; PTAB Inbound; ali.razai@morganlewis.com; Jacob; Benjamin; Alexander B.; MLB-HydraFacial-IPR-052
Subject: RE: IPR2025-00445 / Request for Authorization to File Motion for Additional Discovery

Your Honors,

Petitioner did not receive Patent Owner's specific requests for discovery until the evening of Thursday, May 8, 2025. Since receipt of the specific requests, Petitioner has diligently investigated whether any evidence exists that could warrant production. On Monday, May 12, 2025, Petitioner asked Patent Owner to confirm that any production would be maintained as confidential and subject to the protective order proposed in this proceeding. Petitioner has yet to receive such confirmation from Patent Owner, but subject to Patent Owner's agreement to maintain the evidence in confidence and subject to the proposed protective order, Petitioner is willing to make a production based on the requests recently received from Patent Owner. Petitioner will continue to work with Patent Owner throughout the day to determine whether today's conference call remains necessary and, if so, to limit its scope.

Respectfully submitted,
Jeremy Monaldo

Jeremy Monaldo

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From: Trials <Trials@USPTO.GOV>
Sent: Monday, May 12, 2025 11:40 AM
To: ben.anger@morganlewis.com; Jeremy Monaldo <Monaldo@fr.com>; Sangki Park <spark@fr.com>; Jia Zhu <jzhu@fr.com>; IPR58484-0002IP1 <IPR58484-0002IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; ali.razai@morganlewis.com; Jacob <jacob.peterson@morganlewis.com>; Benjamin <ben.everton@morganlewis.com>; Alexander B. <alexander.stein@morganlewis.com>; MLB-HydraFacial-IPR-052 <MLB-HydraFacial-IPR-052@morganlewis.com>
Cc: Trials <Trials@USPTO.GOV>
Subject: RE: IPR2025-00445 / Request for Authorization to File Motion for Additional Discovery

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Counsel,

A conference call has been scheduled for 4:30pm ET on Wednesday, May 14. The dial in number is 540-566-5633 and the passcode is 718648472#

Regards,

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

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

Sent: Sunday, May 11, 2025 9:08 PM

To: Trials <Trials@USPTO.GOV>

Cc: Jeremy Monaldo <Monaldo@fr.com>; Sangki Park <spark@fr.com>; Jia Zhu <jzhu@fr.com>; IPR58484-0002IP1 <IPR58484-0002IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; Razai, Ali <ali.razai@morganlewis.com>; Peterson, Jacob <jacob.peterson@morganlewis.com>; Everton, Benjamin <ben.everton@morganlewis.com>; Stein, Alexander B. <alexander.stein@morganlewis.com>; MLB-HydraFacial-IPR-052 <MLB-HydraFacial-IPR-052@morganlewis.com>

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Case: *Eunsung v. HydraFacial*, IPR2025-00445

Dear Board,

I write on behalf of Patent Owner HydraFacial in Case No. IPR2025-00445 to request authorization to file a motion for additional discovery pursuant to 37 C.F.R. § 42.51(b)(2)(i).

Patent Owner has been made aware of evidence that indicates that the Petition in this matter was untimely filed and is time-barred under 35 U.S.C. § 315(d). Accordingly, Patent Owner requests authorization to file a motion for additional discovery directed at this evidence and targeted discovery of related, relevant information.

Patent Owner previously requested that Petitioner Eunsung produce this material pursuant to its discovery obligations under 37 C.F.R. § 42.51(b)(1)(iii). To date, Petitioner has not yet produced the material, and several weeks have passed since the first request.

Counsel for Petitioner is copied on this email. While Patent Owner has conferred with Petitioner, Petitioner has not yet indicated whether it opposes this request.

Should the Board desire to have a call with the parties to discuss this request, Petitioner's counsel is available at the following times:

Tuesday, May 13, 2025, 1 pm–5 pm ET

Wednesday, May 14, 2025, 1 pm–5 pm ET

If the Board has any questions or would like further information, please let us know.

Respectfully submitted,
Ben Anger
Counsel for Patent Owner HydraFacial

Ben Anger

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