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To: [Van Tassel, Joseph E.](#); [Trials](#)
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Subject: RE: Request for conference call to seek permission to file preliminary reply in IPR2025-00775
Date: Tuesday, September 2, 2025 10:50:04 AM
Attachments: [image001.png](#)

Good morning counsel,

Typically, the Board does not grant requests for additional briefing absent a showing of good cause. See 37 C.F.R. § 42.708(c). The merits panel does not see good cause here and will not grant additional briefing. Thus, there is no need for a conference call at this time.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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UNITED STATES
PATENT AND TRADEMARK OFFICE ®

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Sent: Thursday, August 28, 2025 10:22 AM
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Subject: Request for conference call to seek permission to file preliminary reply in IPR2025-00775

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Honorable Board,

Petitioner requests a conference call with the Board to request authorization to file a preliminary reply in IPR2025-00775 to the preliminary response filed by Patent Owner in this case. Specifically, Petitioner intends to seek authorization to file a short (i.e., no

more than 3 pages) preliminary reply to address Patent Owner's implicit construction of the "maintain quality playback" term, which Petitioner contends is inconsistent with the '849 patent specification. Should such authorization be granted, Petitioner would not oppose further authorizing Patent Owner to subsequently file a preliminary sur-reply of the same length (i.e., no more than 3 pages) on this issue in response.

If the Board is disinclined to grant such authorization, Petitioner intends to request, in the alternative, that the Board take notice of pages 27-29 of its Opposition to Patent Owner's Request for Discretionary Denial of Institution (Paper 8)—which previously addressed this claim construction issue—when reaching its decision on institution.

Petitioner has contacted Patent Owner regarding this request, and Patent Owner opposes Petitioner's request. Patent Owner disagrees that a preliminary reply is warranted because it did not propose a construction for the "maintain quality playback" term and any argument made to distinguish the art based on the claim language was foreseeable to Petitioner. The Parties are available for a call at a time convenient for the Board.

Regards,
Joseph Van Tassel
Counsel for Petitioner Google LLC

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