

From: [Trials](#)
To: [Joshua Stowell](#); [Trials](#)
Cc: [parker-ptab@perkinscoie.com](#); [williams-ptab@perkinscoie.com](#); [Joe Re](#); [Brian Barnes](#); [BoxImperative580](#); [Inari-Imperative@perkinscoie.com](#); [hamilton-ptab@perkinscoie.com](#)
Subject: RE: Imperative Care v. Inari - IPR2025-01264 - Request for Authorization to File Motion to Strike
Date: Tuesday, July 21, 2026 4:53:54 PM
Attachments: [image001.png](#)

Counsel,

The panel has considered Petitioner's request and authorizes briefing as follows:

Petitioner may file a motion to strike, which will be limited to five (5) pages and will be due no later than July 31, 2026. Patent Owner may file an opposition, which will be limited to five (5) pages and will be due no later than August 14. No reply brief is authorized.

Regards,

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



From: Joshua Stowell <Joshua.Stowell@knobbe.com>
Sent: Monday, July 20, 2026 11:34 AM
To: Trials <Trials@USPTO.GOV>
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Dear PTAB Trials,

Petitioner Imperative Care, Inc. respectfully requests authorization to file a motion to strike Exhibit 2010 filed with Patent Owner's Sur-Reply (Paper 31) in IPR2025-01264. To the extent the Board deems a conference call necessary to grant authorization, Petitioner also requests a conference call to discuss the issue.

Exhibit 2010 is a document titled "Supplemental Declaration of Brian Brown," filed on March 12, 2026 in related IPR2025-01025. The exhibit was filed for the first time in this IPR with Patent Owner's Sur-Reply. Petitioner contends that Exhibit 2010 constitutes improper sur-reply evidence under 37 C.F.R. § 42.23(b) and the Board's Trial Practice Guide. Petitioner asked Patent Owner to withdraw Exhibit 2010 and file a corrected Sur-Reply removing the statements that cite to and/or rely upon that Exhibit, but Patent Owner declined. Petitioner therefore seeks authorization to file a Motion to Strike Exhibit 2010 and the portions of Patent Owner's Sur-Reply that cite to and/or rely upon that Exhibit.

The parties have conferred regarding availability for a conference call and are available at the following times (all times Eastern):

- Monday, July 27 – 12pm-5pm (ET)
- Wednesday, July 29 – 2:30pm-5pm (ET)

Patent Owner opposes Petitioner's request for authorization to file a motion to strike.

Counsel for Patent Owner are copied on this email.

Regards,

Joshua Stowell

Partner

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