

From: Trials <Trials@USPTO.GOV>
Sent: Monday, August 12, 2024 12:48 PM
To: Wood, Megan; Trials
Cc: LLagostera, Domingo M.; Davis Jr., Walter D.; Wong, Russell T.; Perry, Alex; Hindman, M'Liss; Johnson, R. Scott; Patton, Thomas; Donels, Cara; Palmer, Erica
Subject: RE: College Products, Inc. v. Intirion, PGR2024-00003 and PGR2024-00004 - Request for Conference Call

Counsel,

From the Board –

No call is necessary. Petitioner's counsel may enter the District Court's Claim Construction Order as the next exhibit number in PGR2024-00003 and PGR2024-00004.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Wood, Megan <megan.wood@blankrome.com>
Sent: Friday, August 9, 2024 3:01 PM
To: Trials <Trials@USPTO.GOV>
Cc: LLagostera, Domingo M. <domingo.llagostera@blankrome.com>; Davis Jr., Walter D. <Walter.Davis@BlankRome.com>; Wong, Russell T. <russell.wong@blankrome.com>; Perry, Alex <alex.perry@blankrome.com>; Hindman, M'Liss <mliss.hindman@blankrome.com>; Johnson, R. Scott <RSJohnson@fredlaw.com>; Patton, Thomas <TPatton@fredlaw.com>; Donels, Cara <CDonels@fredlaw.com>; Palmer, Erica <EPalmer@fredlaw.com>
Subject: College Products, Inc. v. Intirion, PGR2024-00003 and PGR2024-00004 - Request for Conference Call

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Dear Honorable Board,

Petitioner requests a conference call with the Board to seek guidance on the parties' disputes related to submission of a May 31, 2024 claim construction and indefiniteness order in a co-pending district court proceeding ("District Court Claim Construction Order") pursuant to 37 C.F.R. §42.51(b) and the Board's Trial Practice Guide. More specifically, the parties have disputes about whether the District Court Claim Construction Order is required to be submitted and by whom, whether the District Court Claim Construction Order is relevant to the PGR proceedings, and whether Petitioner's email of June 25, 2024 sending the Board a copy of the District Court Claim Construction Order was a proper submission to make that order of record. To the extent that email was not a proper submission, Petitioner seeks the Board's guidance about the proper mechanism to submit the District Court Claim Construction Order.

On August 6, 2024, the parties met and conferred telephonically in attempt to reach agreement about the parties' disputes. No agreement could be reached. Petitioner believes the District Court Claim Construction Order is relevant to these proceedings and is required to be submitted, if not already done. Patent Owner disagrees.

The parties have conferred and are available for a conference call at the following times:

- Wednesday, August 14 between 10:00 AM and 12:30 PM ET
- Thursday, August 15 between 10:00 AM and 1:30 PM ET
- Friday, August 16 between 10:00 AM and 1:00 PM ET

Counsel for Patent Owner is copied on this email.

Regards,
Megan

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