
From: Trials
Sent: Monday, January 30, 2023 3:52 PM
To: Radsch, Andrew; Andre, Paul, J.; Trials
Cc: McKeown, Scott; Rowland, Mark D.; Batchelder, James R.; Chow, Keyna; Skelly@bannerwitcoff.com; jhutchins@bannerwitcoff.com; wright@bannerwitcoff.com; Hannah, James; Price, Jeffrey H.; Fuller, Jenna; ipr.theo.foster@haynesboone.com; david.mccombs.ipr@haynesboone.com; gregory.huh.ipr@haynesboone.com; gdonovan@reedsmith.com; pchassman@reedsmith.com; jdetrixhe@reedsmith.com; skapoor@reedsmith.com
Subject: RE: IPR2022-00182: Motion to Stay Pending Decision on Motion for Recusal and Vacatur

Counsel,

From the Board –

Patent Owner's request for a stay is denied, as is Patent Owner's request to file a motion to stay. Patent Owner is instructed that Mr. Andre shall not submit any further correspondence, or sign any further papers in this proceeding, unless and until the motion for admission *pro hac vice* is granted.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office
(571) 272-7822

From: Radsch, Andrew <Andrew.Radsch@ropesgray.com>
Sent: Monday, January 30, 2023 12:11 PM
To: Andre, Paul, J. <PAndre@KRAMERLEVIN.com>; Trials <Trials@USPTO.GOV>
Cc: McKeown, Scott <Scott.McKeown@ropesgray.com>; Rowland, Mark D. <Mark.Rowland@ropesgray.com>; Batchelder, James R. <James.Batchelder@ropesgray.com>; Chow, Keyna <Keyna.Chow@ropesgray.com>; Skelly@bannerwitcoff.com; jhutchins@bannerwitcoff.com; wright@bannerwitcoff.com; Hannah, James <JHannah@KRAMERLEVIN.com>; Price, Jeffrey H. <JPrice@KRAMERLEVIN.com>; Fuller, Jenna <JFuller@KRAMERLEVIN.com>; ipr.theo.foster@haynesboone.com; david.mccombs.ipr@haynesboone.com; gregory.huh.ipr@haynesboone.com; gdonovan@reedsmith.com; pchassman@reedsmith.com; jdetrixhe@reedsmith.com; skapoor@reedsmith.com
Subject: RE: IPR2022-00182: Motion to Stay Pending Decision on Motion for Recusal and Vacatur

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Trials,

Unfortunately, Patent Owner continues to direct unilateral emails to the Board that are replete with improper argumentation. These emails fail to provide the required certification that a proper meet and confer has been held. Indeed, no meet and confer has *ever* been held on *any* of these improper communications and filings. Patent Owner's attorney, Paul Andre, has uploaded unauthorized materials to P-TACTS and now has a history of associated,

unilateral emails. In an attempt to stop this improper behavior, both the Board and Petitioner have highlighted his conduct (see Paper 42 at 2; Paper 43 at 2; Paper 47 at 2; Ex. 3016; Jan. 9, 2023 email from S. McKeown to the Board (attached)). To avoid continuation of this course of conduct, Petitioner *again* reminded Mr. Andre of his obligation to follow the agency's rules (see attached email correspondence, dated Jan. 24, 2023). Still, despite Petitioner's most recent email request, and despite Mr. Andre's affirmative representations in his December 29, 2022 *pro hac vice* declaration that he would comply with relevant agency rules and regulations (see Ex. 2028), he continues to disregard his professional responsibilities.

Having no other recourse, Petitioner respectfully requests that the attached communications (including this email) be made of record to preclude this conduct from continuing, and that any improper filings and communications be expunged until the proper meet and confer has been performed. In addition, and regrettably, Mr. Andre's continued willful disregard of the agency's rules leaves Petitioner with no other choice but to now oppose Mr. Andre's pending *pro hac vice* motions in this proceeding, as well as related proceedings (IPR2021-01147, -01148, -01149, -01157, -01158).

Respectfully,
Andrew Radsch
Counsel for Palo Alto Networks

Andrew T. Radsch
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From: Andre, Paul, J. <PAAndre@KRAMERLEVIN.com>

Sent: Friday, January 27, 2023 3:27 PM

To: Trials@USPTO.GOV

Cc: McKeown, Scott <Scott.McKeown@ropesgray.com>; Rowland, Mark D. <Mark.Rowland@ropesgray.com>; Batchelder, James R. <James.Batchelder@ropesgray.com>; Radsch, Andrew <Andrew.Radsch@ropesgray.com>; Chow, Keyna <Keyna.Chow@ropesgray.com>; Skelly@bannerwitcoff.com; jhutchins@bannerwitcoff.com; wright@bannerwitcoff.com; Hannah, James <JHannah@KRAMERLEVIN.com>; Price, Jeffrey H. <JPrice@KRAMERLEVIN.com>; Fuller, Jenna <JFuller@KRAMERLEVIN.com>; ipr.theo.foster@haynesboone.com; david.mccombs.ipr@haynesboone.com; gregory.huh.ipr@haynesboone.com; gdonovan@reedsmith.com; pchassman@reedsmith.com; jdetrixe@reedsmith.com; skapoor@reedsmith.com; Andre, Paul, J. <PAAndre@KRAMERLEVIN.com>

Subject: IPR2022-00182: Motion to Stay Pending Decision on Motion for Recusal and Vacatur

Your Honors,

Patent Owner Centripetal respectfully requests a stay of all proceedings in this IPR pending the resolution of its Motion for Recusal and Vacatur (Paper 37). Alternatively, Centripetal requests permission to file a motion to stay the proceedings. Centripetal's Motion for Recusal and Vacatur identified conflicts of interest threatening the integrity of this IPR. Two APJs have

since recused themselves (Papers 43 and 47), but not before issuing important orders and prejudging Centripetal's Motion on the record. The bases for these recusals remains unclear, as does the reason why the third APJ did not recuse. Centripetal does not have confidence in the impartiality of these proceedings and therefore requested the vacatur of all prior orders and decisions. A stay is critical to preserve the status quo until unbiased adjudicators address Centripetal's Motion, particularly in view of the current panel's clear intention to otherwise move forward with a hearing next month. See Paper 53 (Order Setting Oral Argument); Paper 51 at 2 (indicating that APJ Moore will remain a member of the panel "for consideration of all matters in this proceeding" and stating that "[a]ll prior orders remain in effect").

Respectfully submitted,

Paul Andre

Counsel for Patent Owner, Centripetal Networks, Inc. ~~sur#cdf#f#h#hgglj~~,

Paul J. Andre

Partner and Co-chair, Intellectual Property

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Bio

Protecting Innovation

Please note my new office address. You can download my updated vCard from my bio link above.

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