

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LULULEMON ATHLETICA CANADA INC.
and LULULEMON USA INC.
Petitioner,

v.

NIKE, INC.
Patent Owner.

Patent No. 10,232,220

Inter Partes Review No. IPR2023-00180

JOINT NOTICE OF STIPULATION TO MODIFY DUE DATES 2 AND 3

Further to the Scheduling Order (Paper 12), entered May 15, 2023, Petitioner, lululemon athletica canada inc. and lululemon usa inc. (“lululemon”), and Patent Owner, Nike, Inc., (collectively, “the Parties”) have met and conferred and reached an agreement regarding certain dates set forth in the Scheduling Order. Accordingly, the Parties agree and hereby jointly stipulate to modify DUE DATES 2 and 3¹ as follows:

<u>Due Date</u>	<u>Original Due Date</u>	<u>New Agreed Due Date</u>
DUE DATE 2 Petitioner’s Reply	October 30, 2023	November 6, 2023
DUE DATE 3 Patent Owner’s Sur-Reply	December 11, 2023	December 18, 2023

A marked-up copy of the Scheduling Order is enclosed. As further agreed upon, Petitioner files this Joint Notice of Stipulation to Modify Due Dates 2 and 3 on

¹ The Scheduling Order (Paper 12) recites that the Parties may only stipulate to different dates for portions of DUE DATES 2 and 3. The stipulated changes to the Scheduling Order, therefore, apply only to the portion of DUE DATE 2 related to Petitioner’s and DUE DATE 3 related to Patent Owner’s Sur-Reply.

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behalf of both Parties.

Dated: September 22, 2023

Respectfully submitted,

By: /s/ Jean Nguyen

Jean Nguyen

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Counsel for Patent Owner

DUE DATE APPENDIX

DUE DATE 1	August 7, 2023
Patent Owner's Response to the Petition	
Patent Owner's motion to amend the patent	
DUE DATE 2	~~October 30, 2023~~ November 6, 2023
Petitioner's reply to Patent Owner's Response to the Petition	
Petitioner's opposition to motion to amend	
DUE DATE 3	~~December 11, 2023~~ December 18, 2023
Patent Owner's sur-reply to Petitioner's reply	
Patent Owner's reply to Petitioner's opposition to the motion to amend OR Patent Owner's revised motion to amend ⁵	
DUE DATE 4	January 3, 2024
Request for oral argument (may not be extended by stipulation)	
DUE DATE 5	January 24, 2024
Petitioner's sur-reply to Patent Owner's reply for motion to amend	
Motion to exclude evidence	
DUE DATE 6	January 31, 2024
Opposition to motion to exclude	
Request for prehearing conference	
DUE DATE 7	February 7, 2024
Reply to opposition to motion to exclude	
DUE DATE 8	February 14, 2024
Oral argument (if requested)	

⁵ If Patent Owner files neither a reply to Petitioner's opposition to the MTA nor a revised MTA, the parties are directed to Section B(3) above.

Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached JOINT NOTICE OF STIPULATION TO MODIFY DUE DATES 2 AND 3 was served as of the below date via e-mail (by agreement) to the following counsel of record for the Patent Owner:

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