

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. 8,620,413

Inter Partes Review No. IPR2023-00438

JOINT NOTICE OF STIPULATION TO MODIFY DUE DATES 2 AND 3

Further to the Scheduling Order (Paper 12), entered July 10, 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	January 4, 2024	January 11, 2024
DUE DATE 3 Patent Owner’s Sur-Reply	February 13, 2024	February 20, 2024

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 Reply and DUE DATE 3 related to Patent Owner’s Sur-Reply.

IPR2023-00438

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 behalf of both Parties.

Dated: November 20, 2023

Respectfully submitted,

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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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Dated: November 20, 2023

/Mehran Arjomand/
Mehran Arjomand

DUE DATE APPENDIX

DUE DATE 1	October 10, 2023
Patent Owner's response to the petition	
Patent Owner's motion to amend the patent	January 11, 2024
DUE DATE 2	~~January 4, 2024~~
Petitioner's reply to Patent Owner's response to petition	
Petitioner's opposition to motion to amend	February 20, 2024
DUE DATE 3	~~February 13, 2024~~
Patent Owner's sur-reply to reply	
Patent Owner's reply to opposition to motion to amend (or Patent Owner's revised motion to amend) ⁵	
DUE DATE 4	March 5, 2024
Request for oral argument (may not be extended by stipulation)	
DUE DATE 5	March 26, 2024
Petitioner's sur-reply to reply to opposition to motion to amend	
Motion to exclude evidence	
DUE DATE 6	April 2, 2024
Opposition to motion to exclude	
Request for pre-hearing conference	
DUE DATE 7	April 9, 2024
Reply to opposition to motion to exclude	
DUE DATE 8	April 16, 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.