

Timeline of Events for Petitioner’s Motion to Strike

October 3, 2023 – Original Due Date 1. Paper 14 (IPR2023-00473); Paper 16 (IPR2023-00474).

- August 23, 2023: Patent Owner (“PO”) requests two-week extension. Ex. 1040.
- October 2, 2023: PO requests another two-week extension. Ex. 1038.

October 31, 2023: Extended deadline for Due Date 1. Paper 22 (IPR2023-00473); Paper 24 (IPR2023-00474).

November 1, 2023 (12:38 a.m. ET): PO files response and exhibits, including now-expunged Ex. 2034 (technical expert’s declaration). *See* Ex. 1033. Petitioner requests service from PO. Ex. 1039 at 1.

November 1, 2023 (12:42 p.m. ET): Board expunges PO’s papers and exhibits filed on November 1. Ex. 1037 at 3.

November 1, 2023 (1:32 p.m. ET): PO serves Petitioner with now-expunged papers and exhibits. Ex. 1039 at 3.

November 3, 2023: Petitioner informs PO that paragraphs 52-120 appeared to be missing from Dr. Endres’ declaration (Ex. 2034 in IPR2023-00473), and that the IPR2023-00473 appears identical to the IPR2023-00474 IPR declaration. Ex. 1039

at 2. Petitioner emails PO about possible violations of protective order. Ex. 1042 at 1-2.

November 3, 2023 (5:19 p.m. ET): Petitioner requests clarification from the Board regarding objections to PO’s exhibits. Ex. 1037 at 2-3.

November 4, 2023: PO’s counsel emails Petitioner a “combined declaration” for both IPRs signed by Dr. Endres on November 4, 2023. Ex. 1042 at 1.

November 7, 2023: PO files “corrected” papers and exhibits with the Board. *See* Paper 28 and Ex. 2034 in IPR2023-00473, Paper 30 and Ex. 2034 IPR2023-00474.

November 14, 2023: Petitioner files objections to PO Response/exhibits. Paper 33 (IPR2023-00473); Paper 35 (IPR2023-00474).

November 21, 2023: Deposition of PO’s Technical Expert, Dr. Endres. *See* Paper 31 (IPR2023-00473); Paper 33 (IPR2023-00474).

November 28, 2023: Deposition of David Fisher. *See* Paper 32 (IPR2023-00473); Paper 34 (IPR2023-00474).

November 28, 2023: PO serves Exs. 2050, 2053, and 2054 on Petitioner.

December 6, 2023: Petitioner receives final version of Dr. Endres’ deposition transcript and informs PO of intent to request leave to file motion to strike. Ex. 1041 at 2-4.