

Sarah Jupina

From: Elliot Chen
Sent: Thursday, August 24, 2023 10:13 AM
To: Saukshmya Trichi; Kelly Cunningham
Cc: Derek Vandenburg; Katherine Chen; Iain A McIntyre; Tsteigen-v-Vikinglitgroup; Aaron McGushion; Viking_CCVL; Mitch Williams
Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

Hi Saukshmya,

That schedule works for us. Please prepare a Stipulation to extend Due Date 1 only.

In the meantime, we will prepare an amended Protective Order for the District Court litigation.

Thank you,
Elliot

Elliot Chen

ERVIN COHEN & JESSUP LLP

9401 Wilshire Boulevard, 12th Floor | Beverly Hills, CA 90212-2974

(310) 281-6366 (t) | (310) 859-2325 (f)

www.ecjlaw.com | echen@ecjlaw.com | [LinkedIn](#)

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From: Saukshmya Trichi <STrichi@carlsoncaspers.com>
Sent: Thursday, August 24, 2023 8:42 AM
To: Elliot Chen <echen@ecjlaw.com>; Kelly Cunningham <kcunningham@ecjlaw.com>
Cc: Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Katherine Chen <KChen@carlsoncaspers.com>; Iain A McIntyre <IMcIntyre@carlsoncaspers.com>; Tsteigen-v-Vikinglitgroup <Tsteigen-v-Vikinglitgroup@ecjlaw.com>; Aaron McGushion <aaron@mcgushion.com>; Viking_CCVL <Viking_CCVL@carlsoncaspers.com>; Mitch Williams <mwilliams@carlsoncaspers.com>
Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

Elliot,

Thank you for confirming September 26, 2023 for Dr. Schmid's deposition. He would like a start time of 9:00 a.m. Central.

Viking is agreeable to your request for a 14-day extension (i.e. until October 17, 2023) for Patent Owner's response to the petition and/or motion to amend, provided Patent Owner agrees to provide the availability of expert(s)/declarant(s) on or before the same date. Due to the intervening holidays and Petitioner's reply and opposition being due on December 26, 2023, we would appreciate being able to schedule and complete deposition(s) in a timely manner. If you agree to this proposal, at this time, we do not believe an extension is required on the current due date for Petitioner's reply and opposition (and consequently Patent Owner's Sur-Reply). Please confirm.

Further, with respect to the proposed PTAB Protective Order, the parties will need to seek modification of the Protective Order entered in the litigation (ECF No. 36) first in order to permit the disclosure and use proposed in your August 17, 2023 email. If Plaintiffs can send us a proposed stipulation and redline version for the amended Protective Order, we would appreciate it as we do not have the original word version.

Regards,
Saukshmya



Saukshmya Trichi
Carlson Caspers
225 S. Sixth St., Suite 4200
Minneapolis, MN 55402
Direct: 612.436.9662
STrichi@carlsoncaspers.com
carlsoncaspers.com
BIO | vCard | Disclaimers

From: Elliot Chen <echen@ecjlaw.com>
Sent: Wednesday, August 23, 2023 5:27 PM
To: Saukshmya Trichi <STrichi@carlsoncaspers.com>
Cc: Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Katherine Chen <KChen@carlsoncaspers.com>; Kelly Cunningham <kcunningham@ecjlaw.com>; Iain A McIntyre <IMcIntyre@carlsoncaspers.com>; Tsteigen-v-Vikinglitgroup <Tsteigen-v-Vikinglitgroup@ecjlaw.com>; Aaron McGushion <aaron@mcgushion.com>; Viking_CCVL <Viking_CCVL@carlsoncaspers.com>; Mitch Williams <mwilliams@carlsoncaspers.com>
Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

Saukshmya,

Understood regarding Dr. Schmidt's availability. We are available to take Dr. Schmidt's deposition on September 26, 2023, if Viking is willing to agree to a 14-day extension of the deadlines mentioned in my email, and consequent extension for Petitioner's Reply.

Please prepare a stipulation to extend due dates 1, 5, and 6, and the portion of due dates 2 and 3 related to Petitioner's Reply and Patent Owner's Sur-Reply, by 14 days.

Thank you,
Elliot

Elliot Chen

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From: Saukshmya Trichi <STrichi@carlsoncaspers.com>

Sent: Wednesday, August 23, 2023 1:45 PM

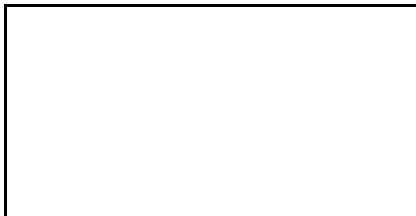
To: Elliot Chen <echen@ecjlaw.com>

Cc: Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Katherine Chen <KChen@carlsoncaspers.com>; Kelly Cunningham <kcunningham@ecjlaw.com>; Iain A McIntyre <IMcIntyre@carlsoncaspers.com>; Tsteigen-v-Vikinglitgroup <Tsteigen-v-Vikinglitgroup@ecjlaw.com>; Aaron McGushion <aaron@mcgushion.com>; Viking_CCVL <Viking_CCVL@carlsoncaspers.com>; Mitch Williams <mwilliams@carlsoncaspers.com>

Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

I note a correction as to your August 17, 2023 request.

Regards,
Saukshmya



Saukshmya Trichi
Carlson Caspers
225 S. Sixth St., Suite 4200
Minneapolis, MN 55402
Direct: 612.436.9662
STrichi@carlsoncaspers.com
carlsoncaspers.com
BIO | vCard | Disclaimers

From: Saukshmya Trichi <STrichi@carlsoncaspers.com>

Sent: Wednesday, August 23, 2023 3:43 PM

To: Elliot Chen <echen@ecjlaw.com>

Cc: Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Katherine Chen <KChen@carlsoncaspers.com>; Kelly Cunningham <kcunningham@ecjlaw.com>; Iain A McIntyre <IMcIntyre@carlsoncaspers.com>; Tsteigen-v-Vikinglitgroup <Tsteigen-v-Vikinglitgroup@ecjlaw.com>; Aaron McGushion <aaron@mcgushion.com>; Viking_CCVL <Viking_CCVL@carlsoncaspers.com>; Mitch Williams <mwilliams@carlsoncaspers.com>

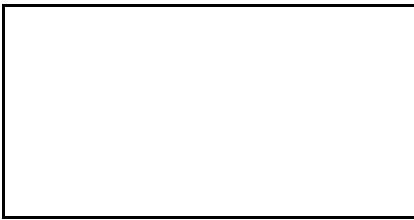
Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

Elliot,

As noted in my email, Dr. Schmid has academic commitments, and you will also appreciate that it is beginning of the academic year. Specifically, Dr. Schmid has to teach Mondays and Wednesdays each week from 5:30 to 6:45 p.m. Eastern, and has professional commitments that were in place prior to your August 21, 2023 request. Further, we are also not available in the week of September 5, 2023. He remains available on September 26, 2023.

In the interest of accommodating Patent Owner's request, we are amenable to seeking a 10-day extension of the two deadlines mentioned in your email, and a consequent extension for Petitioner's response which is currently due on December 26, 2023.

Regards,
Saukshmya



Saukshmya Trichi
Carlson Caspers
225 S. Sixth St., Suite 4200
Minneapolis, MN 55402
Direct: 612.436.9662
STrichi@carlsoncaspers.com
carlsoncaspers.com
BIO | vCard | Disclaimers

From: Elliot Chen <echen@ecjlaw.com>
Sent: Wednesday, August 23, 2023 12:22 PM
To: Saukshmya Trichi <STrichi@carlsoncaspers.com>
Cc: Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Katherine Chen <KChen@carlsoncaspers.com>; Kelly Cunningham <kcunningham@ecjlaw.com>; Iain A McIntyre <IMcIntyre@carlsoncaspers.com>; Tsteigen-v-Vikinglitgroup <Tsteigen-v-Vikinglitgroup@ecjlaw.com>; Aaron McGushion <aaron@mcgushion.com>; Viking_CCVL <Viking_CCVL@carlsoncaspers.com>; Mitch Williams <mwilliams@carlsoncaspers.com>
Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

Saukshmya,

We requested Dr. Schmidt's availability during the first two weeks of September. As you know, under the current briefing schedule, Patent Owner's response to the petition or motion to amend is due on **October 3**. In fact, if Patent Owner decides to file a Motion to Amend, we must request a conference call with the Board by **September 19, 2023**. Scheduling Order at A.6. Because Dr. Schmidt's deposition could impact Patent Owner's decision in either regard, a September 26 deposition date does not work.

Please provide Dr. Schmidt's availability during the weeks of September 5 or September 12. Furthermore, while we believe that Dr. Schmidt's deposition pertaining to the issues raised in IPR2023-00473 and IPR2023-00474 can be completed in one day, we reserve the right to take Dr. Schmidt's deposition for a second day, should it be necessary.

Elliot Chen

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From: Saukshmya Trichi <STrichi@carlsoncaspers.com>
Sent: Wednesday, August 23, 2023 9:07 AM
To: Elliot Chen <echen@ecjlaw.com>
Cc: Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Katherine Chen <KChen@carlsoncaspers.com>; Kelly Cunningham <kcunningham@ecjlaw.com>; Iain A McIntyre <IMcIntyre@carlsoncaspers.com>; Tsteigen-v-Vikinglitgroup <Tsteigen-v-Vikinglitgroup@ecjlaw.com>; Aaron McGushion <aaron@mcgushion.com>; Viking_CCVL <Viking_CCVL@carlsoncaspers.com>; Mitch Williams <mwilliams@carlsoncaspers.com>
Subject: RE: Viking Drill & Tool v. Wang - IPR2023-00473 and IPR2023-00474

Counsel,

We write regarding Dr. Schmid's availability for a deposition in the above-captioned matters. Due to certain academic commitments, Dr. Schmid is available for a remote deposition on September 26, 2023. Please confirm if this date works for you. Petitioner is agreeable to your request that Dr. Schmid be deposed once in IPR2023-00473 and IPR2023-00474.

Further, we are reviewing your requests on the discovery-related issues and will endeavor to provide our response soon.

Regards,
Saukshmya