

From: [Cupar, David B.](#)
To: [Trials](#)
Cc: gokalp@bayramoglu-legal.com; deniz@bayramoglu-legal.com; [Cavanagh, Matthew J.](#); [Micalizzi, Julie](#); [Meeks, Susan](#)
Subject: RE: IPR2023-00521 – Request to Reschedule Oral Argument
Date: Wednesday, May 8, 2024 11:05:16 AM

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

To the Board,

Counsel for Patent Owner and Petitioner have conferred and both stipulate that the parties no longer desire oral argument. The parties request that oral argument be cancelled, or to schedule a telephone conference with the panel handling the matter and opposing counsel to discuss the same.

Counsel appreciates the Board's guidance and time, and apologizes for the inconvenience.

Regards,
Dave Cupar
Counsel for Patent Owner Terves, LLC

David B. Cupar
Member

T: 216.430.2036
F: 216.348.5474
dcupar@mcdonaldhopkins.com
www.mcdonaldhopkins.com

600 Superior Avenue East
Suite 2100
Cleveland, OH 44114



From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, May 7, 2024 1:38 PM
To: Cupar, David B. <dcupar@mcdonaldhopkins.com>; Trials <Trials@USPTO.GOV>
Cc: gokalp@bayramoglu-legal.com; 'deniz@bayramoglu-legal.com' <deniz@bayramoglu-legal.com>; Cavanagh, Matthew J. <mcavanagh@mcdonaldhopkins.com>; Meeks, Susan <smeeks@mcdonaldhopkins.com>; Micalizzi, Julie <jmicalizzi@mcdonaldhopkins.com>
Subject: [External] RE: IPR2023-00521 – Request to Reschedule Oral Argument

Counsel,

From the Board –

Patent Owner, the current date for oral argument was set on August 30, 2023 and on April 15, 2024, Patent Owner specifically requested oral argument be held on May 31, 2024. Paper 28. Rescheduling an oral hearing so close to the hearing date is a significant imposition on the Board and its staff. In addition, opposing counsel should be contacted prior to making any request to modify a hearing date, so that opposing counsel can provide its position regarding such a request and the parties can identify alternate dates for the hearing.

With those comments in mind, Patent Owner's counsel should confer with Petitioner's counsel to determine if they object to a change in hearing date and to determine the parties availability for a hearing on June 17, 18, or 20.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Cupar, David B. <dcupar@mcdonaldhopkins.com>
Sent: Tuesday, May 7, 2024 11:46 AM
To: Trials <Trials@USPTO.GOV>
Cc: gokalp@bayramoglu-legal.com; 'deniz@bayramoglu-legal.com' <deniz@bayramoglu-legal.com>; Cavanagh, Matthew J. <mcavanagh@mcdonaldhopkins.com>; Meeks, Susan <smeeks@mcdonaldhopkins.com>; Micalizzi, Julie <jmicalizzi@mcdonaldhopkins.com>
Subject: IPR2023-00521 – Request to Reschedule Oral Argument

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

To the Board,

Counsel for Patent Owner has an unavoidable conflict for the current date of the oral argument set for 5/31/2024. Counsel requests rescheduling of the oral argument to after June 15 as counsel will be out of country.

Patent Owner is prepared for a conference call with the Board and opposing counsel, or to proceed with a rescheduled date as instructed by the Board.

Regards,
Dave Cupar

David B. Cupar
Member

T: 216.430.2036

600 Superior Avenue East

F: 216.348.5474
dcupar@mcdonaldhopkins.com
www.mcdonaldhopkins.com

Suite 2100
Cleveland, OH 44114

