

From: Trials
To: Fuller, Jenna; Trials
Cc: Price, Jeffrey H.; Hannah, James; dla-resmed-clevemed-ipr@us.dlapiper.com; jim.heintz@us.dlapiper.com; ed.sikorski@us.dlapiper.com; tiffany.miller@us.dlapiper.com
Subject: RE: IPR2023-00565: P-TACTS Filing Error
Date: Thursday, June 29, 2023 2:57:20 PM
Attachments: image001.png
image002.png

Counsel,

From the Board –

Patent Owner’s request to file a motion for late submission is granted. The motion must include a statement indicating whether Petitioner accepts or opposes the motion.

Regards,

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

From: Fuller, Jenna <JFuller@KRAMERLEVIN.com>
Sent: Thursday, June 29, 2023 12:32 AM
To: Trials <Trials@USPTO.GOV>
Cc: Price, Jeffrey H. <JPrice@KRAMERLEVIN.com>; Hannah, James <JHannah@KRAMERLEVIN.com>; dla-resmed-clevemed-ipr@us.dlapiper.com; jim.heintz@us.dlapiper.com; ed.sikorski@us.dlapiper.com; tiffany.miller@us.dlapiper.com
Subject: IPR2023-00565: P-TACTS Filing Error

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Trials,

Patent Owner served opposing counsel, by e-mail, with Patent Owner’s Preliminary Response and Exhibits in IPR2023-00565 on June 28, 2023 at 11:52 PM ET. Patent Owner served these documents by e-mail because the P-TACTS system was malfunctioning up to the midnight deadline, displaying a message that “A Virus detection system failed” (see screen capture below).

Patent Owner was eventually able to successfully file the documents through P-TACTS after midnight.

Please let us know if Patent Owner should file a motion to request acceptance of the submission, so as to be accorded the date on the certificate of service (June 28, 2023) as the identified filing date. 37 CFR 42.6(b); P-TACTS FAQ at 7-8 (Oct. 7, 2022) (Question A6).

Regards,
Jenna Fuller
Counsel for Patent Owner

IPR2023-00565 - Case Viewer

wp/tacts/ui/case-viewer/13440116/IPR2023-00565/aia-review-info

inApp - Log... P-TACTS Docket Navigator EDGAR SEC Compas... FedEx® Tracking... Dayforce Google Patents Lexis Advance® - S... PacerPro - Case Res... Login to Mimecast

File a preliminary response AIA review # IPR2023-00565

Filing party * Preliminary response type *

Patent Owner POPR: filed

Doc type * Paper type * Availability *

☒ Paper ☐ Exhibit POPR: filed Public

Document name * Document *

Preliminary Response Select file... IPR2023-00565_-_Preliminary_Response.pdf

Clear form Add to list

List of documents

Doc #	Upload date	Doc type	Paper type	Document name	Pages	Availability	Action(s)

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Error
A virus detection system failed

File a preliminary response

AIA review # IPR2023-00565

⚠ The user must enter the preliminary response document before entering supporting document(s) as exhibit(s).

Filing party *

Patent Owner

Preliminary response type

Select a preliminary response type...

Doc type *

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Exhibit number *

2001

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Preliminary Response

Document *

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Jenna Fuller

Associate

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Please note my new office address. You can download my updated vCard from my bio link above.

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