Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update
Date: Wednesday, May 1, 2024 at 11:09:11 AM Central Daylight Time
From: Trials
To: Welch, Matt, Trials
CC: ptong@raklaw.com, rak_nextgen@raklaw.com, ilee@raklaw.com, Wang, Benjamin, Andrew Weiss, Kroeger, Paul, Stevens, Scott, Wroblewski, Karlee

Counsel,

Petitioner and Patent Owner are each authorized to file a 5-page update with arguments and supporting exhibits in IPR2023-00680, IPR2023-00681, and IPR2023-00682 no later than May 8, 2024.

Each party may file a 2-page response to the other's update no later than May 15, 2024.

No hearing is necessary at this time.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571)272-7822

From: Welch, Matt <Matt.Welch@alston.com>
Sent: Friday, April 26, 2024 1:14 PM
To: Trials <Trials@USPTO.GOV>
Cc: ptong@raklaw.com; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>; Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

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Dear Board,

In light of recent developments, Petitioner and Patent Owners wish to provide the Board with updates in IPR2023-00680, -681, and -682. For example, certain related cases have been dismissed, stayed, consolidated, or set for a scheduling conference. The Parties, however, disagree on the scope and form of the update.

Petitioner seeks permission to file a non-argumentative update that includes relevant orders in related cases that may affect the Board's *Fintiv* analysis. Patent Owners seek broader permission to file any relevant evidence and arguments on intervening developments affecting institution.

After meeting and conferring, the parties have agreed that if the Board grants Petitioner's request, the parties request permission to jointly file as exhibits the relevant orders along with a 2-page, non-argumentative cover pleading that describes the relevant orders.

Should the Board grant Patent Owners' request, the parties request permission to file simultaneous, competing 5-page updates and arguments and evidence, due one week after the Board's decision, followed by 2-page responses one week thereafter.

Should the Board desire a hearing, the parties are available for a hearing anytime from 12-4 p.m. on April 29 or after 12 p.m. on April 30.

Best,
Matt

Matthew M. Welch
Senior Associate
ALSTON & BIRD
Vantage South End
1120 South Tryon Street, Suite 300
Charlotte, NC 28203-6818
(704) 444-1409 (O)
matt.welch@alston.com

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