Welch, Matt

From: ptong@raklaw.com
Sent: Friday, April 26, 2024 11:16 AM
To: Welch, Matt; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin; Andrew Weiss; Kroeger, Paul
Cc: Stevens, Scott; Wroblewski, Karlee
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Hi Matt,

You can send the message below. To clarify, we are seeking broader permission to submit evidence (e.g., docket sheets, other filings, perhaps settlement emails), not just the Judge's orders.

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.

Peter Tong
Russ, August & Kabat
4925 Greenville Avenue, Suite 200 | Dallas, Texas 75206
Main +1 310 826 7474 | ptong@raklaw.com | www.raklaw.com

From: Welch, Matt <Matt.Welch@alston.com>
Date: Friday, April 26, 2024 at 8:45 AM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee

Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.1

<Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Hi Peter,

Following up on my last email. We want to get an email to the Board today as we've been going back and forth for over a week. To that end, we drafted a proposed email based on the proposal that we believe is agreeable to all parties. Please let us know if you agree, and we will send to the Board.

===DRAFT===

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 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 permission to file both relevant orders and arguments on the relevant orders.

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 on the relevant orders, due one week after the Board's decision, followed by 2-page responses one week thereafter.

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

From: Welch, Matt
Sent: Wednesday, April 24, 2024 7:47 PM
To: 'ptong@raklaw.com' <ptong@raklaw.com>; 'rak_nextgen@raklaw.com' <rak_nextgen@raklaw.com>; 'ilee@raklaw.com' <ilee@raklaw.com>; 'Wang, Benjamin' <bwang@raklaw.com>; 'Andrew Weiss' <aweiss@raklaw.com>; 'Kroeger, Paul' <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

Petitioner agrees to the proposal we discussed. Both parties maintain their positions, but we agree on the protocol for either position. Specifically, should the Board grant Petitioner's request, the parties will jointly file as exhibits the relevant orders along with a 2-page, non-argumentative cover pleading that describes the relevant orders in the

Nokia of America Corporation
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Ex.1057.2

exhibits. And, if the Board grants Patent Owner's request, the parties will file simultaneous, competing 5-page updates and arguments on the relevant orders, due one week after the Board's decision, followed by 2-page responses one week thereafter.

If Patent Owners agree, we will draft a proposed email.

Best,
Matt

Matthew M. Welch
Senior Associate
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1120 South Tryon Street, Suite 300
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(704) 444-1409 (O)
matt.welch@alston.com

From: Welch, Matt
Sent: Wednesday, April 24, 2024 6:57 PM
To: 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>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

I just sent you a teams link.

Matthew M. Welch
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1120 South Tryon Street, Suite 300
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(704) 444-1409 (O)
matt.welch@alston.com

From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Wednesday, April 24, 2024 6:52 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Matt,

Can you host a zoom or other meeting link where we can work on the joint language together?

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IPR2023-00682, Ex. 1057
Ex.1057.3

Peter Tong
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Main +1 310 826 7474 | ptong@raklaw.com | www.raklaw.com

From: Welch, Matt <Matt.Welch@alston.com>
Date: Wednesday, April 24, 2024 at 4:44 PM
To: Peter Tong <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

We can do 6 p.m. central.

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matt.welch@alston.com

From: Peter Tong <ptong@raklaw.com>
Sent: Wednesday, April 24, 2024 4:00 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>; Peter Tong <ptong@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Sorry. Make that 6 pm central. Also generally open Friday.

Peter Tong
Russ, August & Kabat

From: Peter Tong <ptong@raklaw.com>
Sent: Wednesday, April 24, 2024 2:55:15 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>; ilee@raklaw.com <ilee@raklaw.com>; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Still in hearing. Can you do 5:30 Central? Should be done and back by then.

Peter Tong
Russ, August & Kabat

From: Welch, Matt <Matt.Welch@alston.com>
Sent: Wednesday, April 24, 2024 11:52:15 AM
To: ptong@raklaw.com <ptong@raklaw.com>; rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>; ilee@raklaw.com <ilee@raklaw.com>; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

We are available at 5:30 p.m. ET. What is a good number for you?

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matt.welch@alston.com

From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Wednesday, April 24, 2024 11:54 AM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

No, I'm in a hearing this morning. Please propose some later times, e.g., 4-6 pm Central.

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From: Welch, Matt <Matt.Welch@alston.com>
Date: Wednesday, April 24, 2024 at 9:50 AM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.5

Are you available at 11 am. ET? We can call your office number.

Best,
Matt

Matthew M. Welch
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matt.welch@alston.com

From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Wednesday, April 24, 2024 8:55 AM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Matt,

I feel like the draft has become increasing argumentative. Let's hash this out by phone. Are you available late today?

Peter Tong
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4925 Greenville Avenue, Suite 200 | Dallas, Texas 75206
Main +1 310 826 7474 | ptong@raklaw.com | www.raklaw.com

From: Welch, Matt <Matt.Welch@alston.com>
Date: Tuesday, April 23, 2024 at 7:03 PM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

Petitioner proposes the following:

===DRAFT===

Dear Board,

Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.6

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 form of the update.

Patent Owners seek permission to file simultaneous, competing 5-page updates and arguments on any developments that may affect the Board's institution decision within two weeks of the Board's approval. This includes permission to submit supplemental evidence, including but not limited to relevant orders in related cases that may impact the Board's *Fintiv* analysis. Patent Owners believe the Board should hear explanations of how the developments affect institution. Patent Owner seeks simultaneous submissions because both parties have equal knowledge of intervening developments.

Petitioner opposes re-opening briefing and filing arguments on any developments as unnecessary and untimely. Instead, Petitioner only seeks permission to update the Board by filing, as exhibits, relevant orders in related cases that may affect the Board's *Fintiv* analysis. If, however, the Board grants Patent Owners' request to re-open briefing, Petitioner requests permission to file a response of equal length to Patent Owners' brief, due two weeks after Patent Owners' brief. Patent Owners have indicated that they will modify (in a manner not disclosed to Petitioner) or withdraw their *Fintiv* argument based on recent developments, and Petitioner believes it should have the ability to respond to Patent Owners' modified arguments, rather than to file simultaneous briefs.

In light of the parties' disagreement, they are available for a hearing anytime from 12-4 p.m. on April 29 or after 12 p.m. on April 30.

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matt.welch@alston.com

From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Tuesday, April 23, 2024 7:28 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Matt,

Patent Owners would not maintain their Fintiv argument in its current form. We will either modify or withdraw it, so we take issue with your added sentence. Can you propose something more accurate?

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Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.7

From: Welch, Matt <Matt.Welch@alston.com>
Date: Tuesday, April 23, 2024 at 6:22 PM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

I made a slight edit to Petitioner's position and updated the last sentence based on our availability. With these edits, Petitioner is signed off.

===DRAFT===

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 form of the update.

Patent Owners seek permission to file simultaneous, competing 5-page updates and arguments on any developments that may affect the Board's institution decision within two weeks of the Board's approval. This includes permission to submit supplemental evidence, including but not limited to relevant orders in related cases that may impact the Board's *Fintiv* analysis. Patent Owners believe the Board should hear explanations of how the developments affect institution. Patent Owner seeks simultaneous submissions because both parties have equal knowledge of intervening developments.

Petitioner opposes re-opening briefing and filing new arguments as unnecessary and untimely. Instead, Petitioner only seeks permission to update the Board by filing, as exhibits, relevant orders in related cases that may affect the Board's *Fintiv* analysis. If, however, the Board grants Patent Owners' request to re-open briefing, Petitioner requests permission to file a response of equal length to Patent Owners' brief, due two weeks after Patent Owners' brief. Petitioner believes it should have to ability to respond to new arguments raised by Patent Owners, rather than to file simultaneous briefs, as Patent Owners are the party maintaining a *Fintiv* argument.

In light of the parties' disagreement, they are available for a hearing anytime from 12-4 p.m. on April 29 or after 12 p.m. on April 30.

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Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.8

From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Tuesday, April 23, 2024 6:23 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Matt,

Thanks for clarifying. We propose sending the following, subject to your availability on April 29 and/or 30.

===DRAFT===

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 form of the update.

Patent Owners seek permission to file simultaneous, competing 5-page updates and arguments on any developments that may affect the Board's institution decision within two weeks of the Board's approval. This includes permission to submit supplemental evidence, including but not limited to relevant orders in related cases that may impact the Board's *Fintiv* analysis. Patent Owners believe the Board should hear explanations of how the developments affect institution. Patent Owner seeks simultaneous submissions because both parties have equal knowledge of intervening developments.

Petitioner seeks permission only to file as exhibits relevant orders in related cases that may affect the Board's *Fintiv* analysis. Petitioner opposes re-opening briefing on *Fintiv* and believes additional briefing is unnecessary and untimely. If, however, the Board grants Patent Owners' request to re-open briefing, Petitioner requests permission to file a response of equal length to Patent Owners' brief, due two weeks after Patent Owners' brief.

In light of the parties' disagreement, they are available for a hearing anytime on April 29 or 30.

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From: Welch, Matt <Matt.Welch@alston.com>
Date: Tuesday, April 23, 2024 at 5:07 PM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.9

Petitioner is opposed to both.

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matt.welch@alston.com

From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Tuesday, April 23, 2024 5:34 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Matt,

Can you clarify? Is Petitioner opposed to submitting argument? Or opposed to both submitting argument as well as simultaneous briefing?

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Main +1 310 826 7474 | ptong@raklaw.com | www.raklaw.com

From: Welch, Matt <Matt.Welch@alston.com>
Date: Tuesday, April 23, 2024 at 3:08 PM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

Petitioner opposes additional *Fintiv* briefing. If, however, the Board grants Patent Owners' request, Petitioner asks for a 5-page response to Patent Owners' brief.

I have edited your email below with the competing positions. If you agree, you have our permission to email the Board.

===DRAFT===

Dear Board,

Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.10

In light of recent developments, Petitioner and Patent Owners wish to provide the Board with *Fintiv* 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 form of the update.

Patent Owners seek permission to file competing 5-page updates and arguments on any developments that may affect the Board's institution decision within two weeks of the Board's approval. This includes permission to submit supplemental evidence, including but not limited to relevant orders in related cases that may impact the Board's *Fintiv* analysis.

Petitioner seeks permission only to file as exhibits relevant orders in related cases that may affect the Board's *Fintiv* analysis. Petitioner opposes re-opening briefing on *Fintiv* and believes additional briefing is unnecessary and untimely. If, however, the Board grants Patent Owners' request to re-open briefing, Petitioner requests permission to file a response of equal length to Patent Owners' brief, due two weeks after Patent Owners' brief.

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Sent: Tuesday, April 23, 2024 12:43 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Matt,

Given the numerous developments since the close of briefing, it makes sense for the parties to request supplemental briefing We propose that each party file their competing updates of equal length, such as 5 pages. This also avoids the difficulty of agreeing on joint language.

We propose emailing the Board with:

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, therefore, seek permission to file competing 5-page updates and arguments on any developments that may affect the Board's institution decision within two weeks of the Board's approval. This includes permission to submit

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Ex.1057.11

supplemental evidence, including but not limited to relevant orders in related cases that may impact the Board's *Fintiv* analysis.

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From: Welch, Matt <Matt.Welch@alston.com>
Date: Monday, April 22, 2024 at 12:34 PM
To: ptong@raklaw.com <ptong@raklaw.com>, rak_nextgen@raklaw.com <rak_nextgen@raklaw.com>, ilee@raklaw.com <ilee@raklaw.com>, Wang, Benjamin <bwang@raklaw.com>, Andrew Weiss <aweiss@raklaw.com>, Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: RE: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Peter,

In light of the call with the Board today, Petitioner intends to contact the Board tomorrow. If Patent Owner would like to join our request to provide a *Fintiv* update, please let us know by 1 p.m. ET tomorrow.

Best,
Matt

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From: ptong@raklaw.com <ptong@raklaw.com>
Sent: Friday, April 19, 2024 3:23 PM
To: Welch, Matt <Matt.Welch@alston.com>; rak_nextgen@raklaw.com; ilee@raklaw.com; Wang, Benjamin <bwang@raklaw.com>; Andrew Weiss <aweiss@raklaw.com>; Kroeger, Paul <pkroeger@raklaw.com>
Cc: Stevens, Scott <Scott.Stevens@alston.com>; Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: Re: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

EXTERNAL SENDER – Proceed with caution

Hi Matt,

We agree that some form of update to the Board is appropriate. We will confer with our client about what form is most appropriate, and we will get back to you next week.

Peter Tong
Russ, August & Kabat

Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.12

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From: Welch, Matt <Matt.Welch@alston.com>
Date: Wednesday, April 17, 2024 at 5:12 PM
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Cc: Stevens, Scott <Scott.Stevens@alston.com>, Wroblewski, Karlee <Karlee.Wroblewski@alston.com>
Subject: IPR2023-00680, IPR2023-00681, and IPR2023-00682: Fintiv Update

Counsel,

In light of the order for a scheduling conference issued today in 2:23-cv-0637-JRG-RSP (E.D. Tex), we believe that the Parties should update the Board regarding *Fintiv*. Please confirm whether Patent Owners plan to maintain their arguments for discretionary denial in view of *Fintiv*. If so, Petitioner intends to seek permission from the Board to file a 2-page *Fintiv* update in IPR2023-00680, -681, and -682, per the draft email below. The purpose is to provide an update on developments in certain related cases (*i.e.*, stays/dismissals/consolidations). Petitioner would prefer to ultimately file a joint update if permission is granted. To that end, would Patent Owners like to join the request? If not, please indicate whether Patent Owners opposes the request.

===DRAFT===

Dear Board,

In light of recent developments, Petitioner and Patent Owners wish to provide the Board with a *Fintiv* update in IPR2023-00680, -681, and -682. For example, certain related cases have been dismissed, stayed, consolidated, or set for a scheduling conference. The parties, therefore, seek permission to file a 2-page joint update that includes relevant orders in related cases that may impact the Board's *Fintiv* analysis.

Best,
Matt

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Nokia of America Corporation
IPR2023-00682, Ex. 1057
Ex.1057.13

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Ex.1057.14