

From: [Trials](#)
To: mungerman@ungermanip.com; [Trials](#)
Cc: [IPR53953-0001IP1](#); [Casey Kraning](#); pdavis@whitefordlaw.com; mattpalen@comcast.net; [Reagan Florence](#); emorales@ungermanip.com; [David Conrad](#); aanderson@anderson-lawfirm.com; [Lance Wyatt](#); [Sarika Patel](#)
Subject: RE: Notification by email of service - PTACTS Unavailable - IPR2023-00726
Date: Monday, April 22, 2024 3:37:19 PM

Good afternoon counsel,

In view of Patent Owner's emails, successful filing, and representation that they timely served Patent Owners' Objections to Evidence on Petitioner's counsel, the Board in this instance treats Patent Owner's email below as a motion requesting acceptance of the filing of Patent Owners' Objections to Evidence, and hereby grants that motion.

Regards,

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

From: Mark Ungerman <mungerman@ungermanip.com>
Sent: Monday, April 22, 2024 10:35 AM
To: Trials <Trials@USPTO.GOV>
Cc: [IPR53953-0001IP1](#) <IPR53953-0001IP1@fr.com>; [Casey Kraning](#) <Kraning@fr.com>; pdavis@whitefordlaw.com; mattpalen@comcast.net; [Reagan Florence](#) <rflorence@anderson-lawfirm.com>; emorales@ungermanip.com; [David Conrad](#) <Conrad@fr.com>; aanderson@anderson-lawfirm.com; [Lance Wyatt](#) <wyatt@fr.com>; [Sarika Patel](#) <patel@fr.com>
Subject: RE: Notification by email of service - PTACTS Unavailable - IPR2023-00726

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Dear Supervisory Paralegal Specialist Goldschlager,

I have now successfully filed the document. Do I still need to file a motion requesting acceptance of the submission or is that requirement waived?

Thank you for your assistance.

Respectfully,

Mark

Mark Ungerman

Reg. No. 32,070

UNGERMAN IP PLLC

2305 Calvert St., NW

Washington, DC 20008

www.ungermanip.com

mungerman@ungermanip.com

(202) 461-3200 (O)

(202) 465-7172 (F)

(301) 466-3169 (M)

vCard: <http://vcrd.co/markeungerman/2151>

Admitted to practice before the US Patent and Trademark Office and the Supreme Court of the United States. Admitted to the bar in the District of Columbia and California. Not admitted to the State Bar of Texas.

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From: Trials <Trials@USPTO.GOV>

Sent: Monday, April 22, 2024 8:44 AM

To: Mark Ungerman <mungerman@ungermanip.com>; Trials <Trials@USPTO.GOV>

Cc: IPR53953-0001IP1 <IPR53953-0001IP1@fr.com>; Casey Kraning <Kraning@fr.com>; pdavis@whitefordlaw.com; mattpalen@comcast.net; Reagan Florence <rflorence@anderson-lawfirm.com>; Estelle Morales <emorales@ungermanip.com>; Mark Ungerman <mungerman@ungermanip.com>; David Conrad <Conrad@fr.com>; aanderson@anderson-lawfirm.com; Lance Wyatt <wyatt@fr.com>

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Dear counsel,

The PTAB IT team has advised that the issue has been rectified. Please proceed to file. Thank you.

Regards,

Esther Goldschlager

Supervisory Paralegal Specialist

Patent Trial & Appeal Board

U.S. Patent & Trademark Office

From: Mark Ungerman <mungerman@ungermanip.com>
Sent: Friday, April 19, 2024 8:25 PM
To: Trials <Trials@USPTO.GOV>
Cc: IPR53953-0001IP1 <IPR53953-0001IP1@fr.com>; Casey Kraning <Kraning@fr.com>;
pdavis@whitefordlaw.com; mattpalen@comcast.net; Reagan Florence <rflorence@anderson-lawfirm.com>;
emorales@ungermanip.com; mungerman@ungermanip.com; David Conrad <Conrad@fr.com>;
aanderson@anderson-lawfirm.com; Lance Wyatt <wyatt@fr.com>
Subject: Notification by email of service - PTACTS Unavailable - IPR2023-00726

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In accordance with USPTO published procedures at [https://www.uspto.gov/patents/apply/filing-online/filing-documents-during-outage#PTAB%20Patent%20Trial%20and%20Case%20Tracking%20System%20\(P-TACTS\)](https://www.uspto.gov/patents/apply/filing-online/filing-documents-during-outage#PTAB%20Patent%20Trial%20and%20Case%20Tracking%20System%20(P-TACTS)) stating:

If you have a deadline for filing an AIA trial petition filing and/or other associated documents in a pending AIA case and you cannot file electronically via P-TACTS, you must use an alternative filing method. Specifically, AIA trial petitions and/or other associated documents may be served on opposing counsel via email. The Board should be notified of the service by email copying opposing counsel: Trials@uspto.gov. The email notification to the Board should NOT include attachments.

...

In addition, if a petition or document is served via email or other means, it must be followed by a later-filed motion requesting acceptance of the submission once P-TACTS is available. The petition or document will be accorded the date on the certificate of service as the identified filing date. 37 C.F.R. § 42.6(b).

Please be advised that the undersigned has been unable to file Patent Owners' Objections to Evidence through PTACTS in IPR2023-00726. PTACTS is not allowing the undersigned to select any "Paper type" in the mandatory field which should have a drop-down menu, but which at this moment does not.

Patent Owners' Objection to Evidence is being served by email upon counsel for Petitioner. Patent Owners will file a motion requesting acceptance of the submission once P-TACTS is available.

Respectfully submitted

Mark Ungerman
Reg. No. 32,070
Attorney for Patent Owners
UNGEMAN IP PLLC
2305 Calvert St., NW

Washington, DC 20008

www.ungermanip.com

mungerman@ungermanip.com

(202) 461-3200 (O)

(202) 465-7172 (F)

(301) 466-3169 (M)

vCard: <http://vcrd.co/markeungerman/2151>

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