

From: [Trials](#)
To: [Argenti, Matthew](#); [Trials](#)
Cc: [Mudd, Jason \(SHB\)](#); [Schafer, Mark D. \(SHB\)](#); [Friesen, Kyle E. \(SHB\)](#); [Rosato, Michael](#); [Mills, Jad](#)
Subject: RE: IPR2023-01186, -01187, -01188 (CSC ServiceWorks, Inc. v. PayRange, Inc.)
Date: Friday, December 8, 2023 11:01:10 AM

Counsel,

From the Board –

Patent Owner’s deadline for filing its Sur-Replies is extended to Tuesday, December 12, 2023. Patent Owner must file its Sur-Replies and any supporting evidence designated confidential by Petitioner as “Board Only” or “Board and Parties Only.” As the confidential information belongs to Petitioner, Petitioner must file a Motion to Seal no later than Friday, December 15, 2023 if it wishes the information to remain under seal.

Regards,

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

From: Argenti, Matthew <margenti@wsgr.com>
Sent: Thursday, December 7, 2023 11:06 PM
To: Trials <Trials@USPTO.GOV>
Cc: Mudd, Jason (SHB) <jmudd@shb.com>; Schafer, Mark D. (SHB) <MSCHAFER@shb.com>; Friesen, Kyle E. (SHB) <KFRIESEN@shb.com>; Rosato, Michael <mrosato@wsgr.com>; Mills, Jad <jmills@wsgr.com>
Subject: RE: IPR2023-01186, -01187, -01188 (CSC ServiceWorks, Inc. v. PayRange, Inc.)

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Dear Board,

Patent Owner PayRange writes with a request for *urgent* relief. PayRange’s sur-reply regarding CSC’s RPI issues is due tomorrow, Friday, December 7, 2023. This afternoon, Petitioner produced a trove of confidential documents that they did not file with their reply. These new documents reflect a pre-existing relationship (including indemnification obligations) between the Petitioner here and the prior petitioners who challenged PayRange’s patents. The last-minute production of these documents (which Petitioner requests be filed only under seal) necessitates a brief one week extension in PayRange’s deadline for filing the sur-reply.

PayRange has requested CSC’s position on this extension and has not received a response.

Regards,

Matthew A. Argenti

Counsel for Patent Owner PayRange Inc.
Wilson Sonsini Goodrich & Rosati
650 Page Mill Rd., Palo Alto, CA 94304
Direct: (650) 354-4154
Fax: (650) 493-6811

From: Trials <Trials@USPTO.GOV>

Sent: Friday, November 24, 2023 5:57 AM

To: Mudd, Jason (SHB) <jmudd@shb.com>; Schafer, Mark D. (SHB) <MSCHAFER@shb.com>; Friesen, Kyle E. (SHB) <KFRIESEN@shb.com>; Argenti, Matthew <margenti@wsgr.com>; Rosato, Michael <mrosato@wsgr.com>; Mills, Jad <jmills@wsgr.com>

Cc: Trials <Trials@USPTO.GOV>

Subject: RE: IPR2023-01186, -01187, -01188 (CSC ServiceWorks, Inc. v. PayRange, Inc.)

EXT - trials@uspto.gov

Counsel,

Petitioner's request is granted. In each proceeding, Petitioner is authorized to file a 7-page reply to the Patent Owner Preliminary Response in each IPR, to address Patent Owner's argument that the Petition does not identify all real-parties-in-interest. Additionally, the parties should indicate whether or not the proceeding is barred under 35 U.S.C. § 315. *See SharkNinja Operating LLC v. iRobot Corp.*, IPR2020-00734, Paper 11 (PTAB Oct. 6, 2020) (precedential). The reply is due no later than December 1, 2023. Patent Owner is authorized to file a 7-page sur-reply in each IPR no later than December 8, 2023.

Regards,

Andrew Kellogg,
Supervisory Paralegal
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571)272-7822

From: Mudd, Jason (SHB) <jmudd@shb.com>

Sent: Wednesday, November 22, 2023 10:17 AM

To: Trials <Trials@USPTO.GOV>

Cc: Schafer, Mark D. (SHB) <MSCHAFER@shb.com>; Friesen, Kyle E. (SHB) <KFRIESEN@shb.com>; Argenti, Matthew <margenti@wsgr.com>; Rosato, Michael <mrosato@wsgr.com>; Mills, Jad <jmills@wsgr.com>

Subject: IPR2023-01186, -01187, -01188 (CSC ServiceWorks, Inc. v. PayRange, Inc.)

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Dear Board:

We write on behalf of Petitioner, CSC ServiceWorks, Inc., in connection with the above-referenced IPRs to respectfully request leave to file a reply brief to the Patent Owner Preliminary Responses in each of the above IPRs, limited to the topic of addressing Patent Owner's argument that the petitions did not identify all real-parties-in-interest. Petitioner respectfully requests 7 pages for each reply brief. Petitioner also requests that Patent Owner be allowed to file a sur-reply in each of the IPRs also limited to 7 pages. Petitioner submits that good cause for the replies exists because it was not foreseeable that Patent Owner would make some of the representations it did about Petitioner's relationship with KioSoft/TechTrex with respect to the RPI issue and because Petitioner needs to provide Petitioner's side to create a fulsome record.

Petitioner has conferred with Patent Owner regarding this request, and Patent Owner opposes this request. However, should the Board grant Petitioner's request, Patent Owner agrees that it should be given an equal number of pages to respond in a sur-reply.

Should the panel wish to conduct a conference call with the parties to discuss this request, the parties can provide their availabilities at the panel's request.

Sincerely,

Jason R. Mudd

Senior Counsel

Shook, Hardy & Bacon L.L.P.

816-559-2437 | jmudd@shb.com



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