

From: Trials <Trials@USPTO.GOV>
Sent: Friday, March 8, 2024 10:07 AM
To: John Boyd <John.Boyd@FisherBroyles.com>; Trials <Trials@USPTO.GOV>
Cc: Tegris966IPR@fisherbroyles.com; mberkowitz@reichmanjorgensen.com; pcolsher@reichmanjorgensen.com; khoang@reichmanjorgensen.com; RJ_BrycerTegris <RJ_BrycerTegris@reichmanjorgensen.com>
Subject: RE: Request for Conference for PO Motion for Discovery for IPR2023-01196 Patent 11,126,966

Counsel,

We have received Patent Owner's email requesting permission to file a Motion for Discovery. In particular, Patent Owner requests permission to request from Petitioner certain documents which are listed in a document entitled "Patent Owner Requests for Production Nos. 1-4" attached to the email.

A conference call is scheduled for **Tuesday, March 12, 2024, at 11:30 am Eastern**, to discuss the request. Patent Owner, which is making the request, must have a court reporter available.

Regards,

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

From: John Boyd <John.Boyd@FisherBroyles.com>
Sent: Thursday, March 7, 2024 9:35 AM
To: Trials <Trials@USPTO.GOV>
Cc: Tegris966IPR@fisherbroyles.com; mberkowitz@reichmanjorgensen.com; pcolsher@reichmanjorgensen.com; khoang@reichmanjorgensen.com; RJ_BrycerTegris <RJ_BrycerTegris@reichmanjorgensen.com>
Subject: Request for Conference for PO Motion for Discovery for IPR2023-01196 Patent 11,126,966

Dear Sir/Madam,

Patent Owner requests a conference call with the Board for permission to file a Motion for Discovery, namely for Patent Owner Requests for Production Nos. 1-4, attached hereto.

Patent Owner and Petitioner met and conferred via web conference on March 6, 2024, and failed to reach an agreement. Petitioner opposes Patent Owner's request for discovery.

Patent Owner and Petitioner are available during the following times for a conference with the Board:

- a. Monday (March 11): between 11:30am-1pm or 2:30-4pm ET.

b. Tuesday (March 12: between 11:30am-4pm ET.

Respectfully submitted,

John Boyd

John Boyd
Partner

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[Admitted to practice in New York and before the United States Patent and Trademark Office]

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRYCER, LLC, and BRYCER MANAGEMENT, INC.,
Petitioners

v.

TEGRIS, INC.,
Patent Owner.

Case No. IPR2023-01196
Patent No. 11,126,966

Before KAREN I. SWEENEY, *Trial Paralegal*

PATENT OWNER'S REQUESTS FOR PRODUCTION

I. Instructions

1. In producing documents or other information responsive to these Requests for Production (“RFPs”), Petitioner is to comply with the Board’s Scheduling Order and any other Board Order in this proceeding, and the instructions in the Patent Trial and Appeal Board Consolidated Trial Practice Guide, November 2019 Edition.

2. If Petitioner finds the meaning of any term in any RFP unclear, Petitioner should assume a reasonable meaning, state what the assumed meaning is, and produce documents and things or provide information on the basis of that assumed meaning.

3. For any document responsive to a RFP that Petitioner withholds on the basis of privilege, Petitioner shall provide a privilege log identifying the document’s date, author(s), recipient(s), subject matter, and the basis of the asserted privilege.

II. Definitions

The following definition shall apply to the RFPs below:

“Accused Products” means the Petitioners’ asset management software referred to as “The Compliance Engine” as described at www.thecomplianceengine.com and all associated prototypes, releases, iterations, and versions thereof.

III. Requests for Production

RFP No. 1: Documents sufficient to show Petitioner's gross and net revenue derived from sales or licensing of the Accused Products, in whole or part, as well as orders, subscriptions, and/or sales in units (as such unit sales may be tracked in the ordinary course of business), by year, throughout the entire period during which the Accused Products have been available for licensing, subscription, or sale, up to and including the most recent date such information is available.

RFP No. 2: Documents sufficient to show the number and type of devices under management or otherwise monitored by the Accused Products, by year, throughout the entire period during which the Accused Products have been available for licensing, subscription, or sale, up to and including the most recent date such information is available.

RFP No. 3: Documents sufficient to show the number of licenses, licensees, and subscribers authorized to use the Accused Products, by year, throughout the entire period during which the Accused Products have been available for licensing, subscription, or sale, up to and including the most recent date such information is available.

RFP No. 4: Documents that contain statements of fact or opinion about Tegriss, Tegriss Fire, Compliance Model, or U.S. Patent No. 11,126,966.

IPR2023-01196
Patent No. 11,126,966

Date: February 27, 2024

Respectfully submitted,

/Chris Perque/

Chris Perque

Reg. No. 37,696

Fisher Boyles LLP

/John Boyd/

John Boyd

Reg. No. 38,055

Fisher Boyles LLP

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner Mandatory Notice Information Under 37 CFR § 42.8 was served on the above referenced date via email on the following attorneys for the Petitioners:

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/Chris Perque/
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Fisher Boyles LLP