From:	Trials
To:	Nguyen, Daniel; Wofsy, Scott; Baker, Charles; Jones, Joshua L.; Gelozin, Gabrielle; Weyer, Stephen; Myers, Richard S.; Barnes, Thad; Wright, Terry; Miller, Sam
Cc:	Trials
Subject:	RE: IPR2023-01206: Billerud Aktiebolag (publ) v. Westrock MWV, LLC
Date:	Monday, December 9, 2024 4:17:45 PM

Counsel,

Pursuant to Patent Owner's unopposed request, the Board authorizes Patent Owner to file a Corrected Patent Owner's Sur-Reply and a Corrected Reply to Opposition to Motion to Amend. Patent Owner should also file a notice withdrawing Exhibit 2010. The Board will revise the title of the original papers and exhibit in P-TACTS to include the designation "WITHDRAWN." A copy of this email correspondence will be entered in the record as Exhibit 3002.

Regards,

Franchesca I. Alicea Villanueva
Supervisory Paralegal
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Nguyen, Daniel <dnguyen@lockelord.com>
Sent: Friday, December 6, 2024 5:20 PM
To: Trials <Trials@USPTO.GOV>
Cc: Wofsy, Scott <Scott.Wofsy@lockelord.com>; Baker, Charles <CBAKER@lockelord.com>; Jones, Joshua L. <Joshua.Jones@lockelord.com>; Gelozin, Gabrielle <Gabrielle.Gelozin@lockelord.com>; Weyer, Stephen <sweyer@stites.com>; Myers, Richard S. <Richard.Myers@stites.com>; Barnes, Thad <TBarnes@stites.com>; Wright, Terry <twright@stites.com>; Miller, Sam <smiller@stites.com>
Subject: IPR2023-01206: Billerud Aktiebolag (publ) v. Westrock MWV, LLC

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Dear Board,

We represent Patent Owner in the above IPR. Patent Owner seeks authorization from the Board to withdraw its Patent Owner's Sur-Reply (Paper 32) and Reply to Opposition to Motion to Amend (Paper 33), and file the attached Corrected Patent Owner's Sur-Reply and Corrected Reply to Opposition to Motion to Amend. In support of this request, Patent Owner states as follows:

1) On September 11, 2024, Petitioner filed Petitioner's Reply to Patent Owner's Response (Paper 25). In its Reply, Petitioner raised certain arguments and included two new exhibits, Exhibits 1013 and 1014, in support of the arguments.
2) On September 18, 2024, Patent Owner filed Patent Owner's Objections (Paper 26) objecting to Exhibits 1013 and 1014 as being, among other things, untimely and beyond the scope of Patent Owner's Response.
3) On October 2, 2024, Petitioner served the Declaration of Anders Wirén as supplemental evidence in response to Patent Owner's Objections.
4) On October 9, 2024, Patent Owner filed Patent Owner's Objections (Paper 29) objecting to the Declaration of Anders Wirén as being, among other things, untimely and beyond the scope of Patent Owner's Response.
5) On November 20, 2024, Patent Owner filed Patent Owner's Sur-Reply (Paper 32) and Reply to Opposition to Motion to Amend (Paper 33). In its Sur-Reply, Patent Owner included as Exhibit 2010 a Second Supplemental Declaration of Charles P. Klass, Patent Owner's expert, refuting certain arguments raised in Petitioner's Reply and supported by Petitioner's Exhibits 1013 and 1014 and the Declaration of Anders Wirén.
6) On November 21, 2024, Petitioner filed Petitioner's Objections (Paper 34) objecting to the Second Supplemental Declaration of Charles P. Klass (Ex. 2010), among other things, as being untimely and beyond the scope of Petitioner's Reply.

In an attempt to address Petitioner's Objections (Paper 34), Patent Owner seeks authorization from the Board to file a Corrected Patent Owner's Sur-Reply and Corrected Reply to Opposition to Motion to Amend, clean and marked up versions of which are attached, removing all references to the Second Supplemental Declaration of Charles P. Klass (Ex. 2010) and, where applicable, replacing such references with references to Mr. Klass' previous declarations and/or evidence already of record.

Patent Owner also intends to withdraw Ex. 2010 without prejudice to raising some of the arguments therein in any motion to exclude.

No change is needed to the current Scheduling Order as a result of this request.

Counsel for Patent Owner has met and conferred with counsel for Petitioner prior to sending this request, and counsel for Petitioner has indicated that Petitioner does not oppose the request.

The parties are generally available for a conference call with the Board.

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