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Subject: IPR2023-01221
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Counsel,

From the Board –

The statement in Petitioner’s Motion to Terminate that “there are no ***other*** agreements, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the proceeding” raises an ambiguity in that it suggests there exists some agreement between the parties in contemplation of the termination of this proceeding. The panel asks Petitioner to certify that “there is no agreement, oral or written, between the Parties made in connection with, or in contemplation of the termination of the proceeding.” The certification may be submitted by email communication to the Board within one week of the date of this communication.

Regards,

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