

From: [Trials](#)
To: [Walter, Derek](#); [Trials](#)
Cc: [dholman-ptab@sternekessler.com](#); [pkhanduri-ptab@sternekessler.com](#); [rsterne-ptab@sternekessler.com](#); [glongs-ptab@sternekessler.com](#); [Nanostring 10X](#)
Subject: RE: 10x v. NanoString, IPR2023-01298 and -1300 - requests in connection with bankruptcy proceedings
Date: Wednesday, March 6, 2024 2:13:17 PM

Counsel,

The panel authorizes the extension of Patent Owner's surreply to March 25, 2024, and will file this email as an exhibit.

Regards,

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

From: Walter, Derek <Derek.Walter@weil.com>
Sent: Wednesday, March 6, 2024 1:14 PM
To: Trials <Trials@USPTO.GOV>
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Subject: 10x v. NanoString, IPR2023-01298 and -1300 - requests in connection with bankruptcy proceedings

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Dear Board:

We write regarding two issues in IPR2023-01298 and -1300.

1. First, pursuant to the Board's February 29 order and its directive during the parties' February 24 conference call, Patent Owner advises the board that it has filed a motion with the bankruptcy court requesting an order clarifying that the bankruptcy stay is applicable to IPR proceedings and we will be filing that motion as an exhibit shortly. The bankruptcy court will hear this motion on March 18. Further, while 10X's motion to lift the bankruptcy stay was originally scheduled to be heard on March 7, this date has been rescheduled to March 18 and will thus be heard by the bankruptcy court on the same day as Patent Owner's motion seeking an order clarifying that the bankruptcy stay is applicable to IPR proceedings.
2. Second, in its February 29 order, the Board stated that Patent Owner is authorized to file a surreply opposing institution no later than March 18, 2024 in IPR2023-1300. But, as noted

above, Patent Owner's request for an order of the bankruptcy court clarifying that the stay is applicable to IPR proceedings will not be heard until March 18; there is not expected to be any further guidance from the bankruptcy court until that date. Patent Owner therefore respectfully requests that the date for its reply be extended until March 25. This date will allow sufficient time for the bankruptcy court to provide guidance and for the Board to then act upon that guidance. Petitioner does not oppose this request.

Thanks,

Derek



Derek Walter

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