

From: Trials <Trials@USPTO.GOV>

Sent: Monday, January 6, 2025 12:38 PM

To: Buroker, Brian M. <BBuroker@gibsondunn.com>; *** GDC-SharkNinjaIPRD <GDC-SharkNinjaIPRD@gibsondunn.com>; Chris Bruenjes <CBruenjes@medlerferro.com>; Lu, Vivian <VLu@gibsondunn.com>; Brianna L. Silverstein <brianna.silverstein@faegredrinker.com>; John G. Smith <john.smith@faegredrinker.com>; #DysonIPR <DysonIPR@kirkland.com>; Jay Emerick <jay.emerick@kirkland.com>; Rosenthal, Brian <BRosenthal@gibsondunn.com>; Reiter, Mark <MReiter@gibsondunn.com>

Cc: Trials <Trials@USPTO.GOV>

Subject: RE: IPR2023-01322 and IPR2023-01324 - Request for Permission to File Joint Motion to Terminate Proceeding

Counsel,

The Panel authorizes the Parties to file in each of the proceedings a joint motion to terminate under 37 C.F.R. § 42.72. A true, unredacted copy of “[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of” the proceeding must be filed as an exhibit to the motion to terminate. *See* 37 C.F.R. § 42.74(b). The motion to terminate should include a statement 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 other than the agreement(s) filed with the motion to terminate. If any agreement filed with the motion contains confidential information, the agreement must be filed as a confidential exhibit and the Parties are authorized to file in each of the proceedings a joint request to keep such a confidential agreement separate under 37 C.F.R. § 42.74(c).

In light of the preceding authorizations, no teleconference with the Parties will be scheduled at this time. If either Party requires additional clarification, a new request for a teleconference with the Panel should be submitted to the Board by email.

Regards,

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

IPR2023-01322, IPR2023-01324
Exhibit 3001

From: Trials <Trials@USPTO.GOV>
Sent: Friday, January 3, 2025 3:42 PM
To: Buroker, Brian M. <BBuroker@gibsondunn.com>; *** GDC-SharkNinjaIPRD <GDC-SharkNinjaIPRD@gibsondunn.com>; Chris Bruenjes <CBruenjes@medlerferro.com>; Lu, Vivian <VLu@gibsondunn.com>; Brianna L. Silverstein <brianna.silverstein@faegredrinker.com>; John G. Smith <john.smith@faegredrinker.com>; #DysonIPR <DysonIPR@kirkland.com>; Jay Emerick <jay.emerick@kirkland.com>; Rosenthal, Brian <BRosenthal@gibsondunn.com>; Reiter, Mark <MReiter@gibsondunn.com>
Cc: Trials <Trials@USPTO.GOV>
Subject: RE: IPR2023-01322 and IPR2023-01324 - Request for Permission to File Joint Motion to Terminate Proceeding

Counsel,

We have received the parties' email and will respond early next week.

Regards,

Tina Lee
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Buroker, Brian M. <BBuroker@gibsondunn.com>
Sent: Friday, January 3, 2025 2:00 PM
To: Trials <Trials@USPTO.GOV>
Cc: *** GDC-SharkNinjaIPRD <GDC-SharkNinjaIPRD@gibsondunn.com>; Chris Bruenjes <CBruenjes@medlerferro.com>; Lu, Vivian <VLu@gibsondunn.com>; Brianna L. Silverstein <brianna.silverstein@faegredrinker.com>; John G. Smith <john.smith@faegredrinker.com>; #DysonIPR <DysonIPR@kirkland.com>; Jay Emerick <jay.emerick@kirkland.com>; Rosenthal, Brian <BRosenthal@gibsondunn.com>; Reiter, Mark <MReiter@gibsondunn.com>
Subject: Re: IPR2023-01322 and IPR2023-01324 - Request for Permission to File Joint Motion to Terminate Proceeding

To the Board,

The parties are following up on the email from Monday, December 30, 2024 to add times for a conference call next week if the Board wants to discuss the parties' joint request to file motions to terminate. The parties are available on Monday from 8-11 a.m. or 2:30-6 p.m. Eastern or on Tuesday anytime.

Respectfully submitted,
Brian Buroker (Reg. No. 39,125)

Brian M. Buroker
Partner

T: +1 202.955.8541 | M: +1 703.927.2129
bburoker@gibsondunn.com

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1700 M St., N.W.; Washington DC 20036-4504

IPR2023-01322, IPR2023-01324
Exhibit 3001

From: Brian Buroker <BBuroker@gibsondunn.com>
Date: Monday, December 30, 2024 at 10:05 PM
To: "Trials@uspto.gov" <Trials@uspto.gov>
Cc: *** GDC-SharkNinjaIPRD <GDC-SharkNinjaIPRD@gibsondunn.com>, Chris Bruenjes <CBruenjes@medlerferro.com>, Vivian Lu^ <VLu@gibsondunn.com>, "Brianna L. Silverstein" <brianna.silverstein@faegredrinker.com>, "John G. Smith" <john.smith@faegredrinker.com>, #DysonIPR <DysonIPR@kirkland.com>, Jay Emerick <jay.emerick@kirkland.com>, Brian Rosenthal^ <BRosenthal@gibsondunn.com>, Mark Reiter^ <MReiter@gibsondunn.com>
Subject: IPR2023-01322 and IPR2023-01324 - Request for Permission to File Joint Motion to Terminate Proceeding

To the Honorable Board:

I am lead counsel for Petitioner in proceeding both of the above-referenced proceedings - IPR2023-01322 and IPR2023-01324. Petitioners and Patent Owner respectfully request permission to file a joint motion to terminate the pending Inter Partes Review (IPR) proceeding, as the parties have reached a settlement agreement regarding the subject patent claims and wish to formally conclude this proceeding. The parties also will be requesting that the Agreement be kept separate and Confidential pursuant to 37 C.F.R. § 42.74(c).

If a conference call is required, Counsel for Petitioners and Patent Owner are available on Tuesday, December 31 between 8–10 or 3:30 ET, Thursday, January 2 between 8–11 ET, and Friday, January 3 between 8–5 ET.

Respectfully submitted,
Brian Buroker (Reg. No. 39,125)

Brian M. Buroker
Partner

T: +1 202.955.8541 | M: +1 703.927.2129
bburoker@gibsondunn.com

GIBSON DUNN
Gibson, Dunn & Crutcher LLP
1700 M St., N.W.; Washington DC 20036-4504

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

IPR2023-01322, IPR2023-01324
Exhibit 3001