

From: [Trials](#)
To: [Gu, Wenli](#); [Gerukos, Sylvia](#); [Favor, Jamel](#); [Tucker, Torie](#); [PTAB Hearings](#); [BioNTech-Moderna-IPR@paulhastings.com](#); [WH_Moderna_IPR](#); [Bansal, Chetan R.](#); [COVIDPatentPfizer@wc.com](#)
Cc: [Trials](#)
Subject: RE: IPR2023-01358, IPR2023-01359 / Public Video/Audio Feed and Confidential Information at Oral Hearing
Date: Friday, December 6, 2024 2:34:45 PM
Attachments: [image001.png](#)

Counsel,

We will attempt to make an audio or video feed available for the hearing as requested. If it becomes necessary for the parties to address matters subject to claims of confidentiality, the parties should reserve such matters for the end of the hearing (and keeping track of allotted time they have remaining). As appropriate, the Board will consider sealing the hearing room and closing the audio/video lines for that portion of the presentation.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366

From: Gu, Wenli <Wenli.Gu@wilmerhale.com>
Sent: Thursday, December 5, 2024 10:37 PM
To: Gerukos, Sylvia <Sylvia.Gerukos1@uspto.gov>; Favor, Jamel <Jamel.Favor@uspto.gov>; Tucker, Torie <Torie.Tucker@uspto.gov>; PTAB Hearings <PTABHearings@USPTO.GOV>; Trials <Trials@USPTO.GOV>
Cc: COVIDPatentPfizer@wc.com; BioNTech-Moderna-IPR@paulhastings.com; WH_Moderna_IPR <WH_Moderna_IPR@wilmerhale.com>; Bansal, Chetan R. <chetanbansal@paulhastings.com>
Subject: IPR2023-01358, IPR2023-01359 / Public Video/Audio Feed and Confidential Information at Oral Hearing

CAUTION: This email has originated from a source outside of USPTO. PLEASE CONSIDER THE SOURCE before responding, clicking on links, or opening attachments.

Re: Public Video/Audio Feed and Confidential Information at Oral Hearing
IPR2023-01358 // U.S. Patent No. 10,702,600
IPR2023-01359 // U.S. Patent No. 10,933,127

Dear Ms. Gerukos, dear Board,

Thank you for the email regarding a public line for the December 10, 2024 oral hearing scheduled for the above referenced matters.

Both Patent Owner Moderna and Petitioners BioNTech and Pfizer respectfully request that a public video or audio line be made available for the hearing at least for client representatives and attorneys who cannot travel to the hearing. Further to our November 25, 2024 email, neither party currently anticipates that its presentation will require sealing the hearing room or the public video/audio feed. Patent Owner moved to seal its Demonstratives but only one of its demonstratives contains confidential information and Patent Owner expects to rely on the redacted version of the Demonstratives in its presentation, which Patent Owner filed concurrently with its Demonstratives and Motion to Seal on December 3.

In case it becomes necessary, both parties have reserved the right to request to seal a portion of the oral hearing to avoid disclosure of its confidential information. But if that happens, and under the Board's guidance, the parties expect that they can present any confidential information in a short session that is closed to the public and that the Board could close the public video/audio feed for the duration of that short session.

Patent Owner and Petitioners greatly appreciate the Board's consideration of our renewed request for a public video/audio feed for the December 10 hearing.

Many thanks,

Wenli Gu
Back-up Counsel for Patent Owner

From: Gerukos, Sylvia <Sylvia.Gerukos1@uspto.gov>
Sent: Thursday, December 5, 2024 8:06 AM
To: Favor, Jamel <Jamel.Favor@uspto.gov>; Bansal, Chetan R. <chetanbansal@paulhastings.com>
Cc: Tucker, Torie <Torie.Tucker@uspto.gov>; COVIDPatentPfizer@wc.com; BioNTech-Moderna-IPR@paulhastings.com;
WH_Moderna_IPR <WH_Moderna_IPR@wilmerhale.com>
Subject: RE: IPR2023-01358, IPR2023-01359

EXTERNAL SENDER

Greetings,

We will not be able to provide you with a public link for this hearing due to the presentation of confidential information. We apologize for any inconvenience.

v/r

Sylvia Gerukos
Administrative Management Specialist
Phone: 571-270-0188
Email: Sylvia.Gerukos1@uspto.gov

From: Bansal, Chetan R. <chetanbansal@paulhastings.com>
Sent: Tuesday, November 26, 2024 3:16 PM
To: PTAB Hearings <PTABHearings@USPTO.GOV>
Cc: BioNTech-Moderna-IPR <BioNTech-Moderna-IPR@paulhastings.com>; COVIDPatentPfizer@wc.com;
WH_Moderna_IPR <WH_Moderna_IPR@wilmerhale.com>
Subject: IPR2023-01358, IPR2023-01359

CAUTION: This email has originated from a source outside of USPTO. PLEASE CONSIDER THE SOURCE before responding, clicking on links, or opening attachments.

An oral hearing will be held on December 10, 2024 in the above-identified IPRs. Petitioners BioNTech and Pfizer request a public video or audio line for the oral hearing.

Petitioners appreciate the Board's attention to this matter.

Sincerely,

Chetan Bansal
Counsel for Petitioner BioNTech

**PAUL
HASTINGS**

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