

From: Trials Trials@USPTO.GOV
Subject: RE: IPR2023-01462 - service documents
Date: January 9, 2024 at 1:34 PM
To: Amy Hayden ahayden@raklaw.com, Trials Trials@USPTO.GOV
Cc: IPR39843-0162IP1@fr.com, PTABInbound@fr.com, AXF-PTAB AXF-PTAB@fr.com, jjm@fr.com, devoto@fr.com, rak_headwater@raklaw.com

T

Counsel:

From the Board –

Patent Owner's request for authorization to file the requested motion for extension for its Patent Owner Preliminary Response is granted.

Regards,

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

From: Amy Hayden <ahayden@raklaw.com>
Sent: Tuesday, January 9, 2024 12:39 PM
To: Trials <Trials@USPTO.GOV>
Cc: IPR39843-0162IP1@fr.com; PTABInbound@fr.com; AXF-PTAB <AXF-PTAB@fr.com>; jjm@fr.com; devoto@fr.com; rak_headwater@raklaw.com
Subject: Re: IPR2023-01462 - service documents

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Dear Honorable Board,

Patent Owner writes to request authorization to file a motion for a one-day extension for its Patent Owner Preliminary Response. Per the Board's Notice of Filing Date Accorded (Paper No. 3), the POPR was due on Thursday, January 4. On Thursday evening, Patent Owner discovered that its Mandatory Notices and Power of Attorney had not been filed in this proceeding due to an administrative oversight. Patent Owner served Petitioner with the POPR and corresponding exhibits on Thursday, before the deadline, and also provided the materials to the Board. On Friday morning, Patent Owner's counsel promptly obtained an executed Power of Attorney from their client, filed the Power of Attorney and Mandatory Notices, and once the Mandatory Notices were approved, filed the POPR and corresponding exhibits on P-TACTS. If the requested authorization is granted, Patent Owner intends to state in its motion that it is in the interests of justice for the Board to consider this POPR and corresponding exhibits.

Petitioner's counsel has indicated that Petitioner does not oppose this request.

To the extent that a conference call would be helpful, the parties are available for a call on Wednesday through Friday of this week after noon ET.

Best regards,
Amy Hayden
Counsel for Patent Owner

On Jan 5, 2024, at 10:53 AM, Trials <Trials@USPTO.GOV> wrote:

Counsel,

The Preliminary Response and associated exhibits will need to be filed in the P-TACTS system. Patent Owner's Mandatory Notices and Power of Attorney were approved by the Board in P-TACTS.

Regards,

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

From: Amy Hayden <ahayden@raklaw.com>
Sent: Friday, January 5, 2024 1:37 PM
To: Trials <Trials@USPTO.GOV>
Cc: Jim Milkey <jmilkey@raklaw.com>; IPR39843-0162IP1@fr.com;
PTABInbound@fr.com; ptab@fr.com; jjm@fr.com; devoto@fr.com;
rak_headwater@raklaw.com
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Ms. Goldschlager,

Thank you for letting us know about the cybersecurity policy. I have attached the preliminary response and the associated exhibits to this email to avoid delay in the Board being able to access these materials.

Patent Owner has also now filed its Mandatory Notices and Power of Attorney.

We will reach out concerning authorization to file via P-TACTS once we have had an opportunity to confer with Petitioner's counsel.

Best regards,
Amy

Amy E. Hayden

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