

**From:** [Andrew B. Turner](#)  
**To:** [Trials](#); [John M. Halan](#); [Rebecca Cantor](#); [Kyle G. Konz](#); [Reza Esfahani](#); [rmckenna@foley.com](#); [kjelenchick@foley.com](#); [srieger@foley.com](#)  
**Subject:** RE: Message for counsel in IPR2024-00083  
**Date:** Wednesday, May 28, 2025 1:48:40 PM

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Dear Board,

The parties agree that neither the transcript nor the Final Written Decision contain confidential information.

Accordingly, the Board can remove the “Board and Parties Only” designation from both Paper 57 and Paper 61.

Thank You,  
Andy Turner

**Brooks Kushman P.C.**  
(248) 226-2707

IMPORTANT/CONFIDENTIAL: This message may be privileged, confidential, or exempt from disclosure under applicable law. If you have received this communication in error, please notify us immediately by return e-mail.

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**From:** Trials <Trials@USPTO.GOV>  
**Sent:** Wednesday, May 7, 2025 7:42 AM  
**To:** Andrew B. Turner <aturner@brookskushman.com>; John M. Halan <jhalan@brookskushman.com>; Rebecca Cantor <RCANTOR@brookskushman.com>; Kyle G. Konz <kkonz@brookskushman.com>; Reza Esfahani <resfahani@brookskushman.com>; rmckenna@foley.com; kjelenchick@foley.com; srieger@foley.com  
**Cc:** Trials <Trials@USPTO.GOV>  
**Subject:** Message for counsel in IPR2024-00083

Counsel,

The transcript of the oral argument (Paper 57) and the Final Written Decision (Paper 61) has been entered into the record as “Board and Parties Only.” The parties should confer and discuss whether the transcript and Final Written Decision contains confidential information. The Board believes that at least the secondary considerations portion of the Final Written Decision may contain Patent Owner’s confidential information.

If no confidential information is included in the oral argument transcript, then the parties **must**

**IPR2024-00083**  
**Ex. 3004**

**let the Board know by responding to this email and the Board will remove the “Board and Parties Only” designation.**

If confidential information is included in the oral argument transcript or Final Written Decision, the parties **must submit a joint redacted version of the oral argument transcript and the Final Written Decision no later than May 30, 2025.** The Board is available for a conference call if needed.

As to the sealed documents in the record, the parties are reminded that ordinarily confidential information that is subject to a protective order will become public 45 days after a final judgment. If the parties wish to maintain the confidentiality of the information, they are authorized to **file a motion to expunge the information from the record prior to the information becoming public.** *See* 37 C.F.R. 42.56; Consolidated Trial Practice Guide 21-22.

Regards,

Andrew Kellogg,  
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Patent Trial and Appeal Board  
USPTO  
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