

Katherine Vessels

From: Brian Eutermoser
Sent: Friday, February 16, 2024 10:35 AM
To: OpenText-IPR/PGR
Subject: FW: Request for permission to file joint motions to terminate five IPRs

From: Trials <Trials@USPTO.GOV>
Sent: Friday, February 16, 2024 6:07 AM
To: Bob Hansen <BHansen@MARBURLAW.COM>; Trials <Trials@USPTO.GOV>
Cc: Brian Eutermoser <BEutermoser@KSLAW.com>; Mikaela Stone <Mikaela.Stone@KSLAW.com>; Russell Blythe <RBlythe@KSLAW.com>; Scott B. Amankwatia <samankwatia@MARBURLAW.COM>; Matthew Anderson <MAnderson@MARBURLAW.COM>
Subject: RE: Request for permission to file joint motions to terminate five IPRs

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Counsel,

From the Board –

In each of the referenced proceedings, the parties are authorized to file a joint motion to terminate and a joint request to file settlement agreement as business confidential Information.

The motion to terminate should explain why termination is appropriate and provide the status of any related cases. The parties should also file as an exhibit a true copy of their settlement agreement, including any collateral agreements referred to in such agreement, as set forth in 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). The parties are directed to the Patent Trial and Appeal Case Tracking System (P-TACTS) FAQs on the Board's website at https://www.uspto.gov/sites/default/files/documents/p-tacts_faqs_20221007.pdf for guidance on how to file their agreement(s) as confidential.

Regards,

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

From: Bob Hansen <BHansen@MARBURLAW.COM>
Sent: Thursday, February 15, 2024 12:31 PM
To: Trials <Trials@USPTO.GOV>
Cc: beutermoser@kslaw.com; mikaela.stone@kslaw.com; rblythe@kslaw.com; Scott B. Amankwatia <samankwatia@MARBURLAW.COM>; Matthew Anderson <MAnderson@MARBURLAW.COM>
Subject: Request for permission to file joint motions to terminate five IPRs

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Dear Honorable Board,

Petitioner Trend Micro, Inc. and Patent Owner Open Text Inc., respectfully request permission from the Board to file a Joint Motion to Terminate in each of the following IPR proceedings: IPR 2023-01380, IPR 2023-01389, IPR 2023-01392, IPR 2023-01459, and IPR2024-00106. These parties have entered into a settlement agreement that resolves the entire dispute between the parties. The parties also seek permission to file in each of these IPRs a "Joint Request to File the Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74."

In view of upcoming deadlines, the parties anticipate filing these motions soon after receiving permission to do so.

If the Board needs further information, please let us know.

Sincerely,

Robert M. Hansen
Counsel for Petitioner, Trend Micro, Inc.

Brian Eutermoser
Counsel for Patent Owner, Open Text, Inc.

Robert M. Hansen, Esq.

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