From: Trials <Trials@USPTO.GOV>
Subject: RE: Samsung v. Broadphone IPRs2024-00153, 2024-00154 and 2024-00155 - Patent Owner's Preliminary Responses
Date: February 22, 2024 at 13:21:50 PST
To: Reza Mirzaie <rmirzaie@raklaw.com>, Trials <Trials@USPTO.GOV>
Cc: Samsung-Broadphone-IPR <PH-Samsung-Broadphone-IPR@paulhastings.com>, "broadphone@raklaw.com" <broadphone@raklaw.com>, "Modi, Naveen" <naveenmodi@paulhastings.com>, "Christian W. Conkle" <cconkle@raklaw.com>

Counsel,

From the Board –

Patent Owner is authorized to file a motion to excuse late filing in each of the above-identified proceedings. The motion is limited to three pages and must be filed within three business days of this email.

Petitioner is authorized to file an opposition to the motion in each of the proceedings. Any opposition is limited to three pages and must be filed within three business days after the motion.

Regards,

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

From: Reza Mirzaie <rmirzaie@raklaw.com>
Sent: Wednesday, February 21, 2024 10:37 PM
To: Trials <Trials@USPTO.GOV>
Cc: Samsung-Broadphone-IPR <PH-Samsung-Broadphone-IPR@paulhastings.com>; broadphone@raklaw.com; Modi, Naveen <naveenmodi@paulhastings.com>; Christian W. Conkle <cconkle@raklaw.com>
Subject: Samsung v. Broadphone IPRs2024-00153, 2024-00154 and 2024-00155 - Patent Owner's Preliminary Responses

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Dear Honorable Board,

In the above mentioned IPRs, Patent Owner filed its POPRs earlier today, approximately 12 hours after the deadline to do so.

Due to an internal miscommunication, our filing staff was unexpectedly unable to obtain a correct authentication to log into the new electronic filing system until this morning. However, because Patent Owner was ready to file the POPRs by the deadline, Patent Owner did timely serve the filed POPRs on Petitioners before the filing deadline last night.

Because we served Petitioners with copies of the briefs before the deadline, and because the briefs were filed less than twenty-four hours after the deadline, we believe that excusing the late filing would be supported by good cause and would be in the interests of justice. Moreover, Petitioner has not suffered any prejudice.

Patent Owner apologizes for the late filing—and respectfully requests that the Board deem the POPRs timely filed.

Patent Owner conferred with Petitioners regarding this request earlier today. Petitioners' counsel has not yet confirmed whether the Petitioner opposes or does not oppose this request. We have copied Petitioners' counsel on this email.

Thank you.
Reza

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