

Adam Fitzgerald

From: John Wittenzellner
Sent: Friday, February 16, 2024 8:02 AM
To: Stein, Alexander B.
Cc: IPR Dynapass WSL; Hsu-Hoffman, Ahren C.; Zuck, Austin L.
Subject: Re: IPR2024-00283 | Membership of Unified Patents

Counsel:

I reiterate my request that you provide your availability next week for a call with the Board.

Best regards,
John Wittenzellner

From: John Wittenzellner <johnw@wsltrial.com>
Date: Friday, February 2, 2024 at 9:26 PM
To: Stein, Alexander B. <alexander.stein@morganlewis.com>
Cc: IPR Dynapass WSL <iprdynapasswsl@wsltrial.com>, Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>, Zuck, Austin L. <austin.zuck@morganlewis.com>
Subject: Re: IPR2024-00283 | Membership of Unified Patents

Please provide your availability next week for a call with the Board.

Best regards,
John

John Wittenzellner
Williams Simons & Landis PLLC
1735 Market Street, Suite A #453
Philadelphia, PA 19103
Direct: 512.543.1373

From: Stein, Alexander B. <alexander.stein@morganlewis.com>
Sent: Friday, February 2, 2024 20:49
To: John Wittenzellner <johnw@wsltrial.com>
Cc: IPR Dynapass WSL <iprdynapasswsl@wsltrial.com>; Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>; Zuck, Austin L. <austin.zuck@morganlewis.com>
Subject: RE: IPR2024-00283 | Membership of Unified Patents

[EXTERNAL EMAIL]

John,

Nothing in the case you cited below changes our position that we have fully complied with the Board's mandatory-notice requirements of 37 C.F.R. § 42.8.

Best,

-Alex

Alexander B. Stein

Morgan, Lewis & Bockius LLP (Seattle and Silicon Valley Offices)

Cell: (650) 213-6296 | Seattle: (206) 274-6437 | Silicon Valley: (650) 843-7278

From: John Wittenzellner <johnw@wsltrial.com>

Sent: Friday, January 26, 2024 7:08 AM

To: Stein, Alexander B. <alexander.stein@morganlewis.com>

Cc: IPR Dynapass WSL <iprdynapasswsl@wsltrial.com>; Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>; Zuck, Austin L. <austin.zuck@morganlewis.com>

Subject: Re: IPR2024-00283 | Membership of Unified Patents

[EXTERNAL EMAIL]

Good morning, Alex. Whether Petitioner is or has ever been a direct or indirect member of Unified Patents, which has a pending IPR, is highly relevant to at least the first factor of *General Plastic*. See *Valve Corp. v. Electronic Scripting Products, Inc.*, IPR2019-00062, -00063, -00084, Paper 11 at 2 (P.T.A.B. Apr. 2, 2019) ("However, our application of the *General Plastic* factors is not limited solely to instances when multiple petitions are filed by the same petitioner. Rather, when different petitioners challenge the same patent, we consider any relationship between those petitioners when weighing the *General Plastic* factors."). Please provide the requested information immediately.

Best regards,

John Wittenzellner

From: Stein, Alexander B. <alexander.stein@morganlewis.com>

Date: Wednesday, January 24, 2024 at 12:11 PM

To: John Wittenzellner <johnw@wsltrial.com>

Cc: IPR Dynapass WSL <iprdynapasswsl@wsltrial.com>, Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>, Zuck, Austin L. <austin.zuck@morganlewis.com>

Subject: RE: IPR2024-00283 | Membership of Unified Patents

[EXTERNAL EMAIL]

Hi John,

Do you have any authority supporting this request? We have fully complied with the Board's mandatory-notice requirements of 37 C.F.R. § 42.8.

Best,

-Alex

Alexander B. Stein

Morgan, Lewis & Bockius LLP (Seattle and Silicon Valley Offices)

Cell: (650) 213-6296 | Seattle: (206) 274-6437 | Silicon Valley: (650) 843-7278

From: John Wittenzellner <johnw@wsltrial.com>

Sent: Wednesday, January 24, 2024 8:05 AM

To: Stein, Alexander B. <alexander.stein@morganlewis.com>; Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>; Zuck, Austin L. <austin.zuck@morganlewis.com>

Cc: IPR Dynapass WSL <iprdynapasswsl@wsltrial.com>

Subject: Re: IPR2024-00283 | Membership of Unified Patents

[EXTERNAL EMAIL]

Counsel:

I write to follow up on my previous email. Please identify whether Petitioner is or has ever been a direct or indirect member of Unified Patents.

Best regards,
John Wittenzellner

From: John Wittenzellner <johnw@wsltrial.com>

Date: Tuesday, January 2, 2024 at 8:00 AM

To: alexander.stein@morganlewis.com <alexander.stein@morganlewis.com>, ahren.hsu-hoffman@morganlewis.com <ahren.hsu-hoffman@morganlewis.com>, austin.zuck@morganlewis.com <austin.zuck@morganlewis.com>

Cc: IPR Dynapass WSL <iprdynapasswsl@wsltrial.com>

Subject: IPR2024-00283 | Membership of Unified Patents

Counsel:

I represent Patent Owner in the above-referenced IPR. I write to request that Petitioner identify whether it is or has ever been a direct or indirect member of Unified Patents.

Best regards,
John

John Wittenzellner
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Philadelphia, PA 19103
Direct: 512.543.1373



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