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Subject: DBR Finance, Inc. v. Rugged Cross Hunting Blinds, LLC - Case No: IPR2024-00291
Date: Friday, May 24, 2024 1:46:18 PM
Attachments: [Activity in Case 322-cv-00690-ido Rugged Cross Hunting Blinds LLC v. FeraDyne Outdoors LLC Text Only Order.msg](#)

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Dear Board,

As a follow up to the undersigned's email dated May 7, 2024, Patent Owner, Rugged Cross Hunting Blinds, is now in possession of documents related to the arbitration between Tru-View and DBR. Tru-View produced these documents on May 1, 2024, responsive to a subpoena dated January 16, 2024. Although DBR agreed to produce the arbitration document responsive to subpoenas dated February 12, 2024, and April 10, 2024, DBR still has not produced any such documents.

The documents, including the interim arbitration ruling dated March 20, 2024, reflect the arbitration proceedings mentioned on page 23 of the Patent Owner's Preliminary Response, page 4 of Petitioner's Reply, and page 1 of Patent Owner's sur-reply. These documents include new evidence that sheds light on the relationship between Petitioner and other parties which Patent Owner contends are real parties in interest in this proceeding, mentioned on pages 5-6 of the Petition.

After reviewing, Patent Owner believes this new information, particularly the interim ruling from the arbitrator, directly supports Patent Owner's arguments as to the timing of Petitioner's filing of its Petition, as well as supplement its arguments under *Fintiv* factors 5 and 6.

The Petitioner objected to Patent Owner's request to supplement based on an existing protective order in the related, parallel Wisconsin patent infringement litigation. Patent Owner, via an emergency motion (Dkt. 70) filed May 9, 2024, has obtained written permission via the attached order (Dkt. 74) dated May 21, 2024, to file these documents in the IPR. Patent's Owner's emergency motion and related documents were filed under seal. The Defendant, FeraDyne did not file an opposition to Patent Owner's emergency motion. In addition, the Court stayed the ruling of the order until 12 p.m. central time today, May 24, 2024, to allow the "third parties," DBR and Tru-View, to be heard. DBR and Tru-View did not respond to the order.

Accordingly, and pursuant to 37 C.F.R. § 42.20(b), Patent Owner requests authorization to supplement to its preliminary response or a motion to supplement the same to submit/file the interim arbitration ruling (Dkt. 70-), the Tru-View license agreement (Dkt. 70-2), and an assignment letter (Dkt. 70-3) and discuss their relevant portions. Patent Owner anticipates needing no more no more than 7 pages if its request is granted. Due to the confidential nature of the arbitration documents, Patent Owner intends on filing the supplemental response and supporting documents under seal.

Best regards,

Robert L. Wolter

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