

From: [Christopher, Angelo](#)
To: [Trials](#)
Cc: [Hayes, Jennifer](#); [Stringfield, Daniel](#); [Zheng, Helena](#); [Holt, Benjamin](#); [Krusiewicz, Peter](#); [Girgis, Diana](#); [Derek Vandenburg](#); [Peter M Kohlhepp](#); [Ryan Rypka](#); [Aaron W. Pederson](#); [Nate D Louwagie](#)
Subject: Qualcomm Incorporated v. Network System Technologies, LLC, IPR2024-00338
Date: Friday, December 27, 2024 4:30:37 PM

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Your Honors,

The parties jointly write regarding the Board's request for briefing addressing "whether, under the unique circumstances here, the Board should waive the 'ten business days' requirement in 37 C.F.R. § 42.64(b)(2)" with respect to the Rypka Declaration and exhibits. Paper 37 at 19. The parties have conferred and reached the following agreement: (1) Patent Owner does not object to the Board waiving the requirements of 37 C.F.R. § 42.64(b)(2) to permit the Rypka Declaration and exhibits to remain as only served (but not filed) supplemental evidence; and (2) Petitioner withdraws its request to submit the Rypka Declaration and exhibits as supplemental information. In view of this agreement resolving the dispute, Patent Owner will not file a sur-reply as contemplated in the Board's Order.

Respectfully submitted,

Angelo Christopher
Counsel for Patent Owner



Angelo J. Christopher

Counsel

achristopher@nixonpeabody.com

T/ +1 312.977.4391 M/ +1 312.366.4745 F/ +1 844.450.2568

[Nixon Peabody LLP](#)

70 West Madison, Suite 5200, Chicago, IL 60602-4378

This email message and any attachments are confidential and may be protected by the attorney/client or other applicable privileges. The information is intended to be conveyed only to the designated recipient(s) of the message. If you are not an intended recipient, please notify the sender immediately and delete the message from your email system. Unauthorized use, dissemination, distribution or reproduction of this message by other than the intended recipient is strictly prohibited and may be unlawful. Thank you.