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Cc: [Trials](#)
Subject: RE: Pending Settlement/Request to Extend Case Schedule (Including June 18 Hearing Date) in View of Settlement Agreement and Anticipated Dismissal of Lead Petitioner (IPR2024-00421 and -00422)
Date: Friday, June 6, 2025 8:05:46 AM

Counsel,

The Hearing Orders (IPR2024-00421, Paper 25 and IPR2024-00422, Paper 26) are vacated and all due dates (including the hearing date) are postponed. The parties shall meet and confer and shall, no later than June 12, either (1) propose a new due date 3 and multiple hearing dates or (2) request a conference call with the Panel. When discussing due dates, the parties shall endeavor to propose dates at the earliest possible date. The proposed hearing dates must occur prior to December 12, 2025.

Regards,

Franchesca I. Alicea Villanueva
Supervisory Paralegal
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Jim Milkey <jmilkey@raklaw.com>
Sent: Wednesday, June 4, 2025 5:50 PM
To: Trials <Trials@USPTO.GOV>
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Subject: Pending Settlement/Request to Extend Case Schedule (Including June 18 Hearing Date) in View of Settlement Agreement and Anticipated Dismissal of Lead Petitioner (IPR2024-00421 and -00422)

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Dear Honorable Board,

RPX and AlmondNet have entered into a definitive settlement agreement as of May 28. Comcast (Freewheel Media Inc., parent) is a member of RPX. It is anticipated that AlmondNet will in due course execute a release agreement with FreeWheel Media Inc., and that the current district court proceeding will be subsequently dismissed. After those events occur, it is anticipated that both Parties will ask that IPR2024-00421 and IPR2024-00422 proceedings be dismissed with respect to FreeWheel.

Both Patent Owner and FreeWheel are in agreement that the Oral Hearings, currently scheduled for June 18, should be postponed so that Patent Owner and Viant (which was joined as a petitioner in the proceedings, but has so far taken only an understudy role) can negotiate and propose a formal schedule modification to both the hearing date and Patent Owner's sur-reply (currently due June 10) that would allow time for Patent Owner to depose petitioners' expert witness with Viant as lead petitioner (given the anticipated dismissal as to FreeWheel).

Patent Owner contacted counsel for joinder petitioner Viant (copied on this email), and Viant does not oppose postponing the hearing date or the due date for Patent Owner's sur-reply.

Best regards,

James A. Milkey
Counsel for Patent Owner