

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TROVE BRANDS, LLC,
Petitioner,

v.

CAMELBAK PRODUCTS, LLC,
Patent Owner.

Case No. IPR2024-00858
Patent No. 8,905,252

**PETITIONER’S UNOPPOSED MOTION TO DEEM THE FILING OF ITS
OBJECTIONS TO PATENT OWNER’S RESPONSE EXHIBITS TIMELY**

Petitioner Trove Brands, LLC respectfully moves the Board for an order deeming Petitioner's objections to Patent Owner's exhibits (served on February 14, 2025) as timely filed. Patent Owner CamelBak Products, LLC does not oppose this motion.

I. BACKGROUND

On February 7, 2025, Patent Owner filed its Response along with certain supporting exhibits (the "Challenged Exhibits"). Under 37 C.F.R. § 42.64(b)(1), the Board's Scheduling Order entered in this proceeding (Paper 8), and the joint stipulation to adjust Due Date 1 in this proceeding (Paper 10), Petitioner's objections to the Challenged Exhibits were due by February 14, 2025.

During the week Petitioner's objections were due, Petitioner's lead counsel, Ali Razai, changed law firms. On February 14, 2025, Petitioner's counsel was unable to access the PTAB's P-TACTS system because the system was linked to the email addresses associated with the prior law firm. Due to this inaccessibility, Petitioner's counsel emailed the objections to Patent Owner's counsel and to Trials@uspto.gov on February 14, 2025, to ensure service and notice.

The update of Petitioner's lead counsel's email address in the P-TACTS system was not completed until February 20, 2025, after the filing deadline for the objections had passed.

Petitioner conferred with Patent Owner regarding this issue, and Patent Owner stated it does not oppose Petitioner's request to deem the objections timely filed.

II. COMPLIANCE WITH SERVICE REQUIREMENTS DESPITE TECHNICAL ISSUES

Pursuant to 37 C.F.R. § 42.5(c), the Board has the discretion to determine the proper course of conduct and modify times by order.

Good cause exists in this case because Petitioner's filing issue with P-TACTS resulted from an unforeseen administrative complication—its lead counsel's transition to a new law firm. This transition caused a lapse in P-TACTS access. Despite this technical issue, Petitioner timely served objections on Patent Owner's counsel and promptly notified the Board via email to Trails@uspto.gov on February 14, 2025, the deadline for the objections. Thus, Petitioner complied with both the spirit and substance of the service requirement.

Because Patent Owner received Petitioner's objections via email on February 14, 2025, it suffered no prejudice or disadvantage due to the technical delay in formal filing. Patent Owner has also confirmed that it does not oppose the requested relief.

Granting Petitioner's motion serves the interests of justice by ensuring that procedural technicalities do not prevent Petitioner from pursuing its objections. Petitioner acted diligently and in good faith to notify both Patent Owner and the Board of its objections and took immediate steps to resolve the technical filing issue.

For these reasons, Petitioner respectfully requests that the Board deem its objections to the Challenged Exhibits, served on February 14, 2025, as timely filed.

III. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Board grant this Unopposed Motion to Deem the Filing of Its Objections to Patent Owner's Response Exhibits Timely and enter an order acknowledging Petitioner's objections were timely served and filed as of February 14, 2025.

Respectfully submitted,

Dated: February 26, 2025

By: / Ali S. Razai /
Ali S. Razai
Reg. No. 60,771

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date below a copy of the foregoing **PETITIONER’S UNOPPOSED MOTION TO DEEM THE FILING OF ITS OBJECTIONS TO PATENT OWNER’S RESPONSE EXHIBITS TIMELY** was served via the email correspondence address of record for Patent Owner’s counsel of record:

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Respectfully Submitted,

Dated: February 26, 2025

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