From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, August 26, 2025 3:23 PM
To: Sheng, Philip T.; Trials; Wilson, Andrew
Cc: Osman, Inge (DC); Frenkel, Rick (Bay Area); Elliott, Tara (DC); Finger, Ashley (DC); Gasparo, Frank M.; Paquette, Ian G.; Zimmerman, Parker G.; Guy, Hop; Williams, Eliot D.; DishvMindGeek; clement.naples@cgsh.com; Quincy Lu; Jim Glass; nhasan@reichmanjorgensen.com; jcardenas-navia@reichmanjorgensen.com; Chris Mathews; Brian Mack
Subject: RE: Cross-Filing of Hearing Transcripts [IPR2024-00940, -00917, -00918, -00919]

Counsel

Patent Owner's email indicates that it objects to cross-filing unless it is reciprocal. Accordingly, no cross-filing is permitted, and the Board will not cross-file the transcripts. Notwithstanding, the panel in IPR2024-00940 is aware that the parties in that case referenced arguments made in the hearing for IPR2024-00917, -00918, and -00919. The panel may reference the records in IPR2024-00917, -00918, and -00919 if it is necessary.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366

From: Sheng, Philip T. <PTSheng@Venable.com>
Sent: Tuesday, August 26, 2025 9:14 AM
To: Trials <Trials@USPTO.GOV>; Wilson, Andrew <andrew.wilson@BakerBotts.com>
Cc: 'inge.osman@lw.com' <inge.osman@lw.com>; rick.frenkel@lw.com; tara.elliott@lw.com; Ashley.Finger@lw.com; Gasparo, Frank M. <FMGasparo@Venable.com>; Paquette, Ian G. <IGPaquette@Venable.com>; Zimmerman, Parker G. <PGZimmerman@Venable.com>; Guy, Hop <hop.guy@BakerBotts.com>; Williams, Eliot D. <Eliot.Williams@BakerBotts.com>; DishvMindGeek <DishvMindGeek@BakerBotts.com>; clement.naples@cgsh.com; Quincy Lu <quincylu@quinnemanuel.com>; Jim Glass <jimglass@quinnemanuel.com>; nhasan@reichmanjorgensen.com; jcardenas-navia@reichmanjorgensen.com; Chris Mathews <chrismathews@quinnemanuel.com>; Brian Mack <brianmack@quinnemanuel.com>
Subject: RE: Cross-Filing of Hearing Transcripts [IPR2024-00940, -00917, -00918, -00919]

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Hi Mr. Kellogg,

Apologies for the follow-up email. To clarify, the parties in IPR2024-00940 however should still cross-file the transcript and demonstratives from IPR2024-00917, -00918, and -00919, is that correct?

Best,
Phil

From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, August 26, 2025 4:59 AM
To: Sheng, Philip T. <PTSheng@Venable.com>; Wilson, Andrew <andrew.wilson@BakerBotts.com>; Trials <Trials@USPTO.GOV>
Cc: 'inge.osman@lw.com' <inge.osman@lw.com>; rick.frenkel@lw.com; tara.elliott@lw.com; Ashley.Finger@lw.com; Gasparo, Frank M. <FMGasparo@Venable.com>; Paquette, Ian G. <IGPaquette@Venable.com>; Zimmerman, Parker G. <PGZimmerman@Venable.com>; Guy, Hop <hop.guy@BakerBotts.com>; Williams, Eliot D. <Eliot.Williams@BakerBotts.com>; DishvMindGeek <DishvMindGeek@BakerBotts.com>; clement.naples@cgsh.com; Quincy Lu <quincylu@quinnemanuel.com>; Jim Glass <jimglass@quinnemanuel.com>; nhasan@reichmanjorgensen.com; jcardenas-navia@reichmanjorgensen.com; Chris Mathews <chrismathews@quinnemanuel.com>; Brian Mack <brianmack@quinnemanuel.com>
Subject: RE: Cross-Filing of Hearing Transcripts [IPR2024-00940, -00917, -00918, -00919]

Caution: External Email

Counsel,

In light of the parties' positions, the Board will not cross-file the transcripts in these cases.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366

From: Sheng, Philip T. <PTSheng@Venable.com>
Sent: Monday, August 25, 2025 3:23 PM
To: Wilson, Andrew <andrew.wilson@BakerBotts.com>; Trials <Trials@USPTO.GOV>
Cc: 'inge.osman@lw.com' <inge.osman@lw.com>; rick.frenkel@lw.com; tara.elliott@lw.com; Ashley.Finger@lw.com; Gasparo, Frank M. <FMGasparo@Venable.com>; Paquette, Ian G. <IGPaquette@Venable.com>; Zimmerman, Parker G. <PGZimmerman@Venable.com>; Guy, Hop <hop.guy@BakerBotts.com>; Williams, Eliot D. <Eliot.Williams@BakerBotts.com>; DishvMindGeek <DishvMindGeek@BakerBotts.com>; clement.naples@cgsh.com; Quincy Lu <quincylu@quinnemanuel.com>; Jim Glass <jimglass@quinnemanuel.com>; nhasan@reichmanjorgensen.com; jcardenas-navia@reichmanjorgensen.com; Chris Mathews <chrismathews@quinnemanuel.com>; Brian Mack <brianmack@quinnemanuel.com>
Subject: RE: Cross-Filing of Hearing Transcripts [IPR2024-00940, -00917, -00918, -00919]

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Dear Honorable Board,

I write on behalf of Petitioner Aylo Freesites in IPR2024-00940. Aylo takes no position on whether the transcript and demonstratives from the IPR2024-00940 hearing should be cross-filed into IPR2024-00917, -00918, and -00919. However, given the Board's and the parties' substantial reliance and reference to the arguments made at the hearing in IPR2024-00917, -00918, and -00919, Aylo wishes to ensure that the transcript and demonstratives from IPR2024-00917, -00918, and -00919 are cross-filed into IPR2024-00940. Aylo understands that the Board and Patent Owner DISH agreed to this during the IPR2024-00940 hearing (and fuboTV/MasterClass have no objection, as stated below).

Best,
Phil

From: Wilson, Andrew <andrew.wilson@BakerBotts.com>
Sent: Monday, August 25, 2025 11:14 AM
To: Trials <trials@uspto.gov>
Cc: 'inge.osman@lw.com' <inge.osman@lw.com>; rick.frenkel@lw.com; tara.elliott@lw.com; Ashley.Finger@lw.com; Gasparo, Frank M. <FMGasparo@Venable.com>; Sheng, Philip T. <PTSheng@Venable.com>; Paquette, Ian G. <IGPaquette@Venable.com>; Zimmerman, Parker G. <PGZimmerman@Venable.com>; Guy, Hop <hop.guy@BakerBotts.com>; Williams, Eliot D. <Eliot.Williams@BakerBotts.com>; DishvMindGeek <DishvMindGeek@BakerBotts.com>; clement.naples@cgsh.com; Quincy Lu <quincylu@quinnemanuel.com>; Jim Glass <jimglass@quinnemanuel.com>; nhasan@reichmanjorgensen.com; jcardenas-navia@reichmanjorgensen.com; Chris Mathews <chrismathews@quinnemanuel.com>; Brian Mack <brianmack@quinnemanuel.com>
Subject: Cross-Filing of Hearing Transcripts [IPR2024-00940, -00917, -00918, -00919]

Caution: External Email

Dear Honorable Board,

As instructed at the conclusion of the hearing in IPR2024-00940 on the afternoon of Friday August 22nd, 2025, Patent Owner asked Petitioners in IPR2024-00917, -00918, and -00919 whether they would agree to cross-filing the hearing transcripts in each case. Counsel for Petitioners fuboTV and MasterClass did not agree to reciprocal cross-filing and asked that we include their response, which is provided below:

> Petitioners fuboTV and MasterClass do **not** consent to cross-filing the transcript from the Aylo -00940 IPR in IPR Nos. 2024-00917, -00918, and -00919.
>
> We listened in on the public line for the -00940 hearing and note that Patent Owner misstated several of our arguments, including by stating that we had conceded certain points that we expressly did not concede in our argument. As we were not permitted a chance to rebut those misstatements, filing that transcript in our actions would unfairly prejudice Petitioners fuboTV and MasterClass.
>
> We have no objection to the transcript from the hearing in IPR2024-00917, -00918, and -00919 being submitted in IPR2024-00940.

Patent Owner objects to any cross-filing unless it is reciprocal (in both cases).

Thanks,

Andrew Wilson

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M +1.301.807.6646
F +1.202.508.9336

Baker Botts L.L.P.
700 K Street, NW
Washington, D.C. 20001

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