From: Cheek, Douglas
Sent: Thursday, February 22, 2024 2:40 PM
To: help@arxiv.org
Cc: Collins-Chase, Charles; Raich, William
Subject: Request to Speak re arXiv.org

Hello,

I'm hoping to speak briefly with someone at arXiv.org about a paper published on the website. My phone number is 771-215-8849. Please let me know if someone is available to discuss.

Thank you,
Doug

Douglas W. Cheek
Associate
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue, NW, Washington, DC 20001-4413
+1 202 408 4247 | fax +1 202 408 4400 | douglas.cheek@finnegan.com | www.finnegan.com

FINNEGAN

From: arXiv Technical Support <jira@arxiv-org.atlassian.net>
Sent: Friday, February 23, 2024 12:15 PM
To: Cheek, Douglas
Subject: AH-90140 Request to Speak re arXiv.org

External email

Reply above this line.

Hello Douglas,

Could you please provide some additional information about what you'd like to discuss and the paper in question?

Best regards,

Stephanie Orphan

Program Director, arXiv

Issue marked as: Done.

How was our service for this request?

☆ Very poor ☆ Poor ☆ Average ☆ Good ☆ Very good

View request

This is shared with Douglas.Cheek@finnegan.com.

Turn off this request's notifications

If you have not yet visited our general help pages please check them out.
For TeX or technical submission questions please see our arXiv submission How-to articles.

Illumina Exhibit 1039, Page 2 of 8
Illumina v. Molecular Loop Biosciences - IPR2024-00964

From: Cheek, Douglas
Sent: Friday, February 23, 2024 1:14 PM
To: support@arxiv-org.atlassian.net
Cc: Raich, William; Collins-Chase, Charles
Subject: RE: AH-90140 Request to Speak re arXiv.org

Hi Stephanie,

Thank you for reaching out. We're interested in the below article and specifically the date that it was available on the arXiv.org website. Please let us know if you are available to discuss.

https://arxiv.org/abs/1007.5075v1

Thanks,
Doug

Douglas W. Cheek
Associate
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue, NW, Washington, DC 20001-4413
+1 202 408 4247 | fax +1 202 408 4400 | douglas.cheek@finnegan.com | www.finnegan.com

FINNEGAN

From: arXiv Technical Support <jira@arxiv-org.atlassian.net>
Sent: Friday, February 23, 2024 12:15 PM
To: Cheek, Douglas <Douglas.Cheek@finnegan.com>
Subject: AH-90140 Request to Speak re arXiv.org

External email

———————
Reply above this line.

Hello Douglas,

Could you please provide some additional information about what you'd like to discuss and the paper in question?

Best regards,

Stephanie Orphan

Program Director, arXiv

Illumina Exhibit 1039, Page 3 of 8
Illumina v. Molecular Loop Biosciences - IPR2024-00964

Issue marked as: Done.

How was our service for this request?

☆ Very poor ☆ Poor ☆ Average ☆ Good ☆ Very good

View request

This is shared with Douglas.Cheek@finnegan.com.

Turn off this request's notifications

If you have not yet visited our general help pages please check them out.
For TeX or technical submission questions please see our arXiv submission How-to articles.

Illumina Exhibit 1039, Page 4 of 8
Illumina v. Molecular Loop Biosciences - IPR2024-00964

From: arXiv Technical Support <jira@arxiv-org.atlassian.net>
Sent: Tuesday, February 27, 2024 11:21 AM
To: Cheek, Douglas
Subject: AH-90140 Request to Speak re arXiv.org

External email

Reply above this line.

Hi Douglas,

Thank you for the additional information. The paper was made public on arxiv.org at 8PM Eastern on 7/29/2010.

Regards,

Stephanie

Issue marked as: Done.

How was our service for this request?

☆ Very poor ☆ Poor ☆ Average ☆ Good ☆ Very good

View request

This is shared with Douglas.Cheek@finnegan.com.

Turn off this request's notifications

If you have not yet visited our general help pages please check them out.
For TeX or technical submission questions please see our arXiv submission How-to articles.

Illumina Exhibit 1039, Page 5 of 8
Illumina v. Molecular Loop Biosciences - IPR2024-00964

From: Cheek, Douglas
Sent: Wednesday, February 28, 2024 10:47 AM
To: support@arxiv-org.atlassian.net
Cc: Raich, William; Collins-Chase, Charles
Subject: RE: AH-90140 Request to Speak re arXiv.org
Attachments: Internet Archive - Example Affidavit.pdf

Hi Stephanie,

Thank you for the information, that is very helpful. Would you or someone at arXiv.org be willing to submit a short affidavit regarding the article's public availability as of that date? The patent office requires that direct evidence be submitted in affidavit format. We would pay a fee and work with arXiv.org in drafting the affidavit. I've attached an example affidavit that was submitted by an employee of the Internet Archive in a different patent office proceeding for context. The Internet Archive's policy and standard fee agreement for submitting affidavits is also provided on their website: https://archive.org/legal. Please let us know if arXiv.org is available to assist. We appreciate your help.

Thank you,
Doug

Douglas W. Cheek
Associate
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue, NW, Washington, DC 20001-4413
+1 202 408 4247 | fax +1 202 408 4400 | douglas.cheek@finnegan.com | www.finnegan.com

FINNEGAN

From: arXiv Technical Support <jira@arxiv-org.atlassian.net>
Sent: Tuesday, February 27, 2024 11:21 AM
To: Cheek, Douglas <Douglas.Cheek@finnegan.com>
Subject: AH-90140 Request to Speak re arXiv.org

External email

Reply above this line.

Hi Douglas,

Thank you for the additional information. The paper was made public on arxiv.org at 8PM Eastern on 7/29/2010.

Regards,

Stephanie

Issue marked as: Done.

How was our service for this request?

☆ Very poor ☆ Poor ☆ Average ☆ Good ☆ Very good

View request

This is shared with Douglas.Cheek@finnegan.com.

Turn off this request's notifications

If you have not yet visited our general help pages please check them out.
For TeX or technical submission questions please see our arXiv submission How-to articles.

Illumina Exhibit 1039, Page 7 of 8
Illumina v. Molecular Loop Biosciences - IPR2024-00964

From: arXiv Technical Support <jira@arxiv-org.atlassian.net>
Sent: Friday, March 1, 2024 10:12 AM
To: Cheek, Douglas
Subject: AH-90140 Request to Speak re arXiv.org

External email

Reply above this line.

Hi Douglas,

Unfortunately, we are unable to provide an affidavit.

Regards,

Stepanie

Issue marked as: Done.

How was our service for this request?

☆ Very poor ☆ Poor ☆ Average ☆ Good ☆ Very good

View request

This is shared with Douglas.Cheek@finnegan.com.

Turn off this request's notifications

If you have not yet visited our general help pages please check them out.
For TeX or technical submission questions please see our arXiv submission How-to articles.

Illumina Exhibit 1039, Page 8 of 8
Illumina v. Molecular Loop Biosciences - IPR2024-00964