

Scheibeler, John

From: Trials <Trials@USPTO.GOV>
Sent: Wednesday, July 24, 2024 4:37 PM
To: Scheibeler, John; Trials
Cc: David Radulescu; Jonathan Auerbach; WAC_IPRs_Service@radip.com; Chaikovsky, Yar; Plail, Ethan; Gold, Jake; W&C Minka IPR
Subject: [EXT] RE: IPR2024-01027 | Request for Leave to File Joint Motion to Terminate IPR

Good afternoon counsel,

From the Board –

The parties are authorized to file a joint motion to terminate IPR2024-01027. The parties are reminded of their obligation under 37 C.F.R. § 42.74 to file with the Board a copy of any agreement to settle any issue in the proceeding in writing. In the motion, the parties should also include a statement that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding, assuming such a statement is correct. If the parties cannot make such a statement, the other agreement(s) should be filed pursuant to 37 C.F.R. § 42.74.

The parties also are authorized to file a joint request to treat any settlement agreement as business confidential information. To have the settlement agreement treated as business confidential information under 37 C.F.R. § 42.74(c), the parties must file the confidential settlement agreement electronically in the Patent Trial and Appeal Case Tracking System (PTACTS) as an exhibit in accordance with the instructions provided on the Board's website (uploading as "Parties and Board Only"). The parties are directed to FAQ G2 on the Board's website at https://www.uspto.gov/sites/default/files/documents/p-tacts_faqs_20221007.pdf for guidance on how to file their settlement agreement as confidential.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Scheibeler, John <jscheibeler@whitecase.com>
Sent: Wednesday, July 3, 2024 3:49 PM
To: Trials <Trials@USPTO.GOV>
Cc: David Radulescu <david@radip.com>; Jonathan Auerbach <jonathan@radip.com>; WAC_IPRs_Service@radip.com; Chaikovsky, Yar <yar.chaikovsky@whitecase.com>; Plail, Ethan <ethan.plail@whitecase.com>; Gold, Jake <jake.gold@whitecase.com>; W&C Minka IPR <W&CMinkaIPR@whitecase.com>
Subject: IPR2024-01027 | Request for Leave to File Joint Motion to Terminate IPR

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Your Honors:

I represent Petitioner in IPR2024-01027. I am writing to inform the Board that the parties have resolved their dispute with respect to IPR2024-01027, and, therefore, request: (i) authorization to file a joint motion to terminate the proceeding, and (ii) to file a joint request to treat the parties' agreement as business confidential information under 37 C.F.R. § 42.74.

The parties are aware of their obligation under 35 U.S.C. § 317(b) to file a copy of their agreement and any collateral agreements with the Board. Therefore, should the Board authorize the above requests, the parties will file the agreement as an exhibit to their joint motion to terminate and designate it as confidential and for the "Parties and Board Only."

The parties are available this week for a conference call if one is necessary.

Respectfully submitted,
John Scheibeler, Reg. No. 35,346
Lead Counsel for Petitioner

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