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To: [Chad Nydegger](#); [Trials](#)
Cc: [liz.flannery@bakerbotts.com](#); [paul.morico@bakerbotts.com](#); [brian.hausman@bakerbotts.com](#); [dlsolaris/masaba@bakerbotts.com](#); [David R. Todd](#); [Brian N. Platt](#)
Subject: RE: Solaris v. Masaba, IPR2024-01179 [WNDMS-DMS1-DMS1.FID2779165]
Date: Thursday, May 1, 2025 3:24:29 PM
Attachments: [image001.png](#)

Counsel,

No additional motion is needed. We will consider the request below as constituting an unopposed motion by Patent Owner for the Board to accept the late filing of Exhibits 2013, 2015, 2017-2019, 2021, 2023, and 2024. And, based on the representations below, we find that good cause exists to grant Patent Owner's motion and consider the aforementioned exhibits in conjunction with the timely-filed Patent Owner Response (Paper 11). A copy of this correspondence will be entered into the record as Exhibit 3001.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
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(571) 272-5366

From: Chad Nydegger <CNydegger@WNLaw.com>
Sent: Wednesday, April 30, 2025 5:20 PM
To: Trials <Trials@USPTO.GOV>
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Subject: Solaris v. Masaba, IPR2024-01179 [WNDMS-DMS1-DMS1.FID2779165]

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Dear Board:

I am lead counsel for the Patent Owner Masaba, Inc. in IPR2024-01179. We filed Masaba's Patent Owner Response on April 28, 2025, the due date for the filing, along with Patent Owner's Exhibits 2001-2011, 2012, 2014, 2016, 2020, 2022, and 2025-2037. We were unable to file Patent Owner's Exhibits 2013, 2015, 2017-2019, 2021, and 2023-2024 on April 28. Patent Owner's Exhibits 2012 through 2024 are all audio recordings, originally in .mp3 format. We had been told by P-TACTS Admin in early April that the P-TACTS system would accept .mp3 files (see attached pdf of email

thread), and therefore we had prepared Exhibits 2012-2024 to be filed on April 28 in .mp3 format (all below 25MB). However, when we attempted to file the .mp3 files in P-TACTS on April 28, the P-TACTS system would not let us file them. Therefore, on the evening of April 28 (after P-TACTS Admin was closed), we figured out how to convert all of the .mp3 files to .mpeg files, but several of the .mpeg files were over the 25MB limit for P-TACTS. The P-TACTS system would not accept .mpeg files over 25MB. Therefore, we were only able to file the exhibits listed above and unable to file Exhibits 2013, 2015, 2017-2019, 2021, and 2023-2024. Nevertheless, we served the Patent Owner Response and all of the exhibits (in both .mp3 and .mpeg format) on counsel for Petitioner (and cc'd trials@uspto.gov) on the evening of April 28, explaining the situation (see attached pdf of service email).

On the morning of April 29, we sent an email to P-TACTS Admin inquiring what to do and were told to split the .mpeg files into two parts and file them in two parts. We then figured out how to do so, and filed (and served) Exhibits 2013, 2015, 2017-2019, and 2023-2024 in two parts on April 30. On April 30, we were also able to file Exhibit 2021 in one part. (We are fairly certain that we tried to file all of the one-part .mpeg exhibits on August 28, including Exhibit 2021, and we are not sure why the one-part .mpeg version of Exhibit 2021 would have been rejected by the system on April 28 but not on April 30.)

Now, we would like to make sure that all of Patent Owner Masaba's exhibits are considered by the Board and would like to request authorization, if necessary, to file a motion to accept the late filing of Masaba's exhibits so that all of Masaba's exhibits are considered. Under the circumstances, we believe that there is good cause for the late filing and that consideration of the exhibits would be in the interest of justice. In addition, we believe that because counsel for Petitioner was served with all of the exhibits on April 28, we believe there has been no prejudice to Petitioner. I have discussed the situation with counsel for Petitioner (cc'd on this email), and she has indicated that her client does not oppose the filings today and does not oppose having them considered in connection with the Patent Owner Response.

I look forward to your response and direction on how to proceed to assure that these exhibits are considered by the Board.

Best regards,

CHAD E. NYDEGGER

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