

Filed on behalf of: CMS Cepcor Ltd. and
CMS Cepcor Americas LLC

By: Terry M. Sanks (tsanks@firstiniplaw.com)(litigation@firstiniplaw.com)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMS CEP COR LTD. and
CMS CEP COR AMERICAS LLC,
Petitioners,

v.

SANDVIK INTELLECTUAL PROPERTY AB,
Patent Owner.

Case No. IPR2024-01381
Patent No. 11,014,090

**PETITIONERS' SECOND STATEMENT
REGARDING ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a), Petitioner does not request Oral Argument on any of the instituted grounds of unpatentability for U.S. Patent No. 11,014,090 (*see* Decision (Paper 9)), which encompass each of the claim construction and patentability issues addressed in Petitioner's and Patent Owner's papers and all exhibits thereto, including declarations and depositions. Notwithstanding this position, Petitioner understands that since Patent Owner has requested Oral Argument, the Board is required to provide Oral Argument on the instituted grounds and any issues addressed in the Parties' briefings presently filed and to be filed, including all exhibits to the above, including declarations and deposition transcripts.

In view of the Board returning to in-person hearings, Petitioner does not currently have good cause to seek participating virtually.

As represented by Patent Owner, the Parties previously agreed with two (2) hours per side for oral argument to include both this proceeding as well as the proceeding for IPR2024-01380, hence a consolidated hearing.

As Patent Owner is aware, the undersigned was likely traveling today to defend the deposition of Petitioner's expert witness as Patent Owner noticed the deposition for December 3, 2025, in Boise, Idaho. Hence, Patent Owner's attempt to meet and confer, by sending an email, seeking 2 hours and fifteen (15) minutes per side per side was not made known to the undersigned until after his flight landed, which was after Petitioner

filed its Second Request. As such, since no good cause has been communicated to Petitioner why an additional 15 minutes is needed per proceeding, Petitioner submits that the Parties' previous agreed upon format, 2 hours per side per proceeding, should stand, as that is the agreed upon format between the Parties.

Date: December 2, 2025

/Terry M. Sanks/

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Certificate of Service

I hereby certify that, on December 2, 2025, a true and correct copy of the foregoing Petition (and accompanying exhibits) was served on the Patent Owner via electronic means (by agreement of the Parties) at the address listed below:

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