

From: [Trials](#)
To: [Brian Ferguson](#); [Trials](#)
Cc: [Walters, Chad](#); [McDonald, Jacob](#); [Quarles, Rick](#)
Subject: RE: IPR2025-00031: Time-Sensitive Request re Hearing
Date: Tuesday, February 17, 2026 1:37:02 PM
Attachments: [image002.png](#)
[image003.png](#)

Counsel,

In response to the email inquiry from the parties below,

[1] Please disregard the Board's prior email this morning; it was sent before the panel was aware of the email inquiry below.

[2] The Board will postpone the hearing in IPR2025-00031 to a later date. The panel is attempting to reserve a time slot in the Board's calendar for the afternoon of March 12, which would follow the hearing in IPR2025-00139 already scheduled for the morning on that day. The Board will notify the parties at a later time whether this attempt is successful.

[3] The Board does not intend to postpone either of those two hearings (IPR2025-00031 and IPR2025-00139) to any later date absent extraordinary circumstances. Continuing efforts to finalize a settlement agreement in mid-March will not constitute such extraordinary circumstances.

[4] The parties are directed to inform the Board via email whether the potential settlement contemplates moving to terminate IPR2024-01274 and/or IPR2025-00139 along with IPR2025-00031.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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From: Brian Ferguson <BFerguson@kslaw.com>
Sent: Monday, February 16, 2026 3:51 PM
To: Trials <Trials@USPTO.GOV>
Cc: Walters, Chad <chad.walters@bakerbotts.com>; McDonald, Jacob <jacob.mcdonald@bakerbotts.com>; Quarles, Rick <rquarles@winston.com>
Subject: IPR2025-00031: Time-Sensitive Request re Hearing

You don't often get email from bferguson@kslaw.com. [Learn why this is important](#)

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Dear Honorable Board:

We are counsel for Patent Owner in IPR2025-00031 and are writing on behalf of all parties to the proceeding. Counsel for Patent Owner and Petitioners have conferred and jointly request postponement of the hearing in this proceeding, which is currently scheduled for this Thursday (February 19). The parties request this relief because, on February 13, the parties entered into a binding term-sheet agreement to settle the pending litigations between them, along with all pending IPR matters. The parties have 30 days (until March 14) to sign a formal agreement. The parties thus expect to be requesting permission to file a motion to terminate this proceeding. As that should occur well before the Board's April 29, 2026 deadline to issue a Final Written Decision, the parties submit that postponing the hearing will preserve the resources of the Board and the parties. In the unlikely event the dispute is not settled in the timeframe expected, the parties will cooperate in rescheduling the hearing at a time convenient for the Board.

The parties therefore respectfully request that the Board grant the requested relief and postpone the February 19, 2026 hearing. The parties are available for a teleconference with the Board at the Board's convenience.

Respectfully submitted,

Brian E. Ferguson
Counsel for Patent Owner

Brian E. Ferguson

Partner

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