

From: [Trials](#)
To: [Officer, Kassandra](#); [Trials](#)
Cc: [Nguyen, Jean](#); [EXT- AYap@mofo.com](#); [Arjomand, Mehran](#); [Goldberg, Joshua](#); [Johns, Christopher](#); [Stach, Jason](#); [Zang, Chen](#); [Berlenbach, Anthony](#); [Jumio Facetec IPRs](#); [FaceTec-Jumio-IPRs](#)
Subject: RE: IPR2025-00106, -00107, -00108, -00109: Request for Additional Evidence and Motion to Strike
Date: Tuesday, February 17, 2026 11:52:54 AM
Attachments: [image002.png](#)
[image003.png](#)

Counsel,

In regards to Patent Owner's requests:

First, we authorize Patent Owner to file a motion to strike new evidence and arguments from Petitioner's Replies. We also authorize Petitioner an opposition to that motion. Patent Owner's motion to strike is due in 2 weeks on March 3rd. Petitioner's opposition is due 2 weeks after that on March 17th. Both parties are given 5 pages of briefing.

Second, we understand Patent Owner's request to submit additional evidence as a request to file supplemental information under 37 CFR § 42.123, which is the regulatory framework governing evidence in support of arguments on the merits after institution. We authorize Patent Owner to file a motion to file supplemental information under 37 CFR § 42.123. We also authorize Petitioner an opposition to that motion. Patent Owner's motion is due in 2 weeks on March 3rd. Petitioner's opposition is due 2 weeks after that on March 17th. Both parties are given 5 pages of briefing.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO

andrew.kellogg@uspto.gov

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From: Officer, Kassandra <Kassandra.Officer@finnegan.com>

Sent: Thursday, February 12, 2026 7:45 PM

To: Trials <Trials@USPTO.GOV>

Cc: Nguyen, Jean <jnguyen@mofo.com>; EXT- AYap@mofo.com <AYap@mofo.com>; Arjomand, Mehran <MArjomand@mofo.com>; Goldberg, Joshua <Joshua.Goldberg@finnegan.com>; Johns, Christopher <Christopher.Johns@finnegan.com>; Stach, Jason <Jason.Stach@finnegan.com>; Zang, Chen <Chen.Zang@finnegan.com>; Berlenbach, Anthony <Anthony.Berlenbach@finnegan.com>; Officer, Cassandra <Kassandra.Officer@finnegan.com>; Jumio_Facetec_IPRs <Jumio-Facetec-IPRs@mofo.com>; FaceTec-Jumio-IPRs <FaceTec-Jumio-IPRs@finnegan.com>

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Dear Honorable Board,

Patent Owner seeks authorization to submit additional evidence with its sur-replies and to file a motion to strike new evidence and arguments from Petitioner's replies and its corresponding 213-page expert declaration. The Board previously granted Petitioner and Patent Owner an additional 1,000 words for Petitioner's reply and Patent Owner's sur-reply in each proceeding. At that time, Patent Owner preemptively sought leave to submit additional evidence with its sur-replies, and although the Board declined authorization at that time, it indicated that Patent Owner may contact the Board if it believes additional sur-reply evidence is needed/justified following receipt of Petitioner's replies.

The parties have conferred, and Petitioner opposes. The parties have refrained from including argument here, but if the Board would like additional details, the parties are available at the following times:

Friday, February 13 from 2:00-5:00 PM ET; and

Tuesday, February 17 from 2:00-5:00 PM ET.

Respectfully submitted,

Kassandra Officer

Counsel for Patent Owner

Kassandra M. Officer
Partner

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