

From: [Trials](#)
To: [Richard L. Brophy](#); [Trials](#)
Cc: [Marc Vander Tuig](#); [Sydney K. Johnson](#); [Melanie E. King](#); [Jennifer Carpenter](#); [David ODell IPR](#); [O'Dell, David M.](#); [Greg Michelson IPR](#); [Kelly Lyle IPR](#); [Russ Emerson IPR](#); [Hong Shi IPR](#)
Subject: RE: Request for Leave for Motion to Excuse - IPR2025-00167, IPR2025-00168, IPR2025-00169, IPR2025-00170, IPR2025-00171 [IMAN-IDOCS.31681.739.FID5692618]
Date: Monday, September 8, 2025 1:51:29 PM
Attachments: [image002.png](#)
[image003.png](#)

Counsel,

Your request to file a motion to excuse the late filing is granted.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Richard L. Brophy <RBrophy@atllp.com>
Sent: Friday, September 5, 2025 5:20 PM
To: Trials <Trials@USPTO.GOV>
Cc: Marc Vander Tuig <MVanderTuig@atllp.com>; Sydney K. Johnson <SKJohnson@atllp.com>; Melanie E. King <meking@atllp.com>; Jennifer Carpenter <JCarpenter@Atllp.com>; David ODell IPR <david.odell.ipr@haynesboone.com>; O'Dell, David M. <David.Odell@haynesboone.com>; Greg Michelson IPR <Greg.Michelson.ipr@haynesboone.com>; Kelly Lyle IPR <Kelly.Lyle.ipr@haynesboone.com>; Russ Emerson IPR <russ.emerson.ipr@haynesboone.com>; Hong Shi IPR <Hong.Shi.ipr@haynesboone.com>
Subject: Request for Leave for Motion to Excuse - IPR2025-00167, IPR2025-00168, IPR2025-00169, IPR2025-00170, IPR2025-00171 [IMAN-IDOCS.31681.739.FID5692618]

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Dear Board,

Due to several technical difficulties and unforeseen complications resulting from the volume of materials needing to be filed, counsel for Patent Owner was unable to complete its filing of the Patent Owner Responses and accompanying Motions to Seal in IPR2025-00167, IPR2025-00168, IPR2025-

00169, IPR2025-00170, IPR2025-00171 until several hours after the deadline of September 3, 2025. Patent Owner served Petitioner with service copies immediately after the filings were completed.

We kindly request that the Board authorize Patent Owner to file a short motion to excuse the late filing of these materials. The motion will explain that good cause exists, consideration on the merits is in the interests of justice, and the late filing did not prejudice Petitioner.

Vermeer offered to extend Petitioner's reply deadline by one business day to accommodate Patent Owner's delay in filing. Petitioner responded today and indicated that it does not oppose the motion to excuse and does not require an extension of its deadline.

If the Board deems a conference call necessary, Patent Owner is available at the Board's convenience next week. Patent Owner has not yet received Petitioner's availability for such a call but will provide that availability as soon as it is received if the Board requires a conference.

Respectfully,

Richard Brophy
Lead Counsel for Patent Owner



Richard L. Brophy

PARTNER
INTELLECTUAL PROPERTY LITIGATION

RBrophy@atllp.com

T: 314-342-4159

Armstrong Teasdale LLP | www.atllp.com
7700 Forsyth Boulevard, Suite 1800, St. Louis, MO 63105

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