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IPR2025-00167, Paper 28
IPR2025-00168, Paper 28
IPR2025-00169, Paper 28
IPR2025-00170, Paper 27
IPR2025-00171, Paper 27
Date: September 12, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KUBOTA NORTH AMERICA CORPORATION,
Petitioner,

v.

VERMEER MANUFACTURING COMPANY,
Patent Owner.

IPR2025-00167 to -00169 (Patent 9,321,386 B1)
IPR2025-00170 (Patent 9,975,750 B2)
IPR2025-00171 (Patent 10,202,266 B2)¹

Before MEREDITH C. PETRAVICK, ANNETTE R. REIMERS, and
ERIC C. JESCHKE, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motions
to Excuse Late Filings
37 C.F.R. § 42.5

¹ This Order addresses issues that are the same in each of the above-listed proceedings. We issue one Order to be filed in each proceeding. The parties are not authorized to use this caption in any subsequent papers, unless specifically authorized by the Board.

IPR2025-00167 to -00169 (Patent 9,321,386 B1)

IPR2025-00170 (Patent 9,975,750 B2)

IPR2025-00171 (Patent 10,202,266 B2)

On June 10, 2025, we instituted trial in these five *inter partes* reviews involving Petitioner, Kubota North America Corporation, and Patent Owner, Vermeer Manufacturing Company. *See* IPR2025-00167, Paper 16; IPR2025-00168, Paper 16; IPR2025-00169, Paper 16; IPR2025-00170, Paper 15; IPR2025-00171, Paper 15.² As provided in the Scheduling Orders, Patent Owner’s Responses and any related filings in these proceedings were due September 3, 2025 (Paper 18 at 13), but Patent Owner did not file those documents until September 4, 2025.

With Board authorization (Ex. 3002 at 1), Petitioner filed in each proceeding a Motion to Excuse Late Filing of Patent Owner’s Response (Paper 26, “Motion” or “Mot.”). Petitioner does not oppose. *See* Mot. 1.

The Board may excuse and deem timely a party’s late submission. *See* 37 C.F.R. § 42.5(c)(3). In the Motion, Patent Owner explains that it encountered “network connectivity issues” and other “technical difficulties during filing that compounded an already challenging and time-intensive process of submitting briefing in five related but separate proceedings all due on the same day.” Mot. 1. Because of those issues, the Responses (confidential and redacted versions), related exhibits, and motions to seal were not filed until September 4, 2025, “several hours after the deadline.” Mot. 2. Patent Owner states that the documents were, however, served on Petitioner “immediately after the filings were completed” and that Petitioner declined a one-day extension offered by Patent Owner for the Replies. *Id.*

² Similar papers were filed in each proceeding. For the remainder of this Order, we cite to papers in IPR2025-00167 only.

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Because Patent Owner's filings and service were late by only a few hours and based on counsel's statements as to the nature of the technical issues and the lack of prejudice to Petitioner, we determine that good cause exists to deem timely Patent Owner's filings. *See Square, Inc. v. 4361423 Canada Inc.*, IPR2019-01650, Paper 29 (PTAB Aug. 17, 2020 (granting a request to excuse a patent owner's response filed only hours late and unopposed by the petitioner). Thus, we *grant* Patent Owner's unopposed Motions to deem timely the filings of the Responses, related exhibits, and motions to seal in these proceedings.

It is hereby:

ORDERED that Patent Owner's Motions to deem timely the filing of the Responses, related exhibits, and motions to seal in these proceedings are *granted*.

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