

From: [Richard L. Brophy](#)
To: [Trials](#); david.odell.ipr@haynesboone.com; kelly.lyle.ipr@haynesboone.com; hong.shi.ipr@haynesboone.com; greg.michelson.ipr@haynesboone.com; russ.emerson.ipr@haynesboone.com; [Marc Vander Tuig](#); [Michael J. Vander Molen](#)
Subject: RE: General Order, IPR2025-00167, -00168, -00169, -00170, -00171
Date: Wednesday, October 8, 2025 3:19:59 PM
Attachments: [image002.png](#)
[image003.png](#)

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Dear Mr. Kellogg:

The parties apologize for not responding to the General Order, as both parties did not view prior developments in *resolved* proceedings as subject to the order's disclosure request. In light of the Board's General Order and Director Stewart's September 16, 2025 Memorandum regarding PTAB consideration of prior findings of fact and conclusions of law, the Parties jointly identify the following prior or parallel proceedings and any developments constituting findings of fact or conclusions of law relating to the same or substantially similar patent claims:

Proceeding	Development(s)	Status
<i>Vermeer Manufacturing Company v. Kubota North America Corporation and Kubota Tractor Corporation</i> , 4:24-cv-00799-P (N.D. Tex.)	None	Pending, but stayed
<i>Vermeer Corporation v. The Toro Company</i> , 4:17-cv-76-CRW-HCA (S.D. Iowa)	Claim construction order (Ex. 1020)	Terminated (settled)
<i>Ex. Parte</i> Reexamination No. 90/013,915 (U.S. Patent No. 9,321,386)	Findings of fact and conclusions of law regarding obviousness, including the level of skill in the art and secondary indicia of non-obviousness (e.g., Ex. 1029 in IPR2025-00167)	Terminated (reexamination certificate issued)
<i>Ex. Parte</i> Reexamination No. 90/014,109 (U.S. Patent No. 9,321,386)	Findings of fact and conclusions of law regarding obviousness, including the level of skill in the art and	Terminated (reexamination certificate issued)

	secondary indicia of non-obviousness (e.g., Ex. 1030 in IPR2025-00167)	
<i>Ex. Parte</i> Reexamination No. 90/014,124 (U.S. Patent No. 9,321,386)	Findings of fact and conclusions of law regarding obviousness, including the level of skill in the art and secondary indicia of non-obviousness (e.g., Ex. 1031 in IPR2025-00167)	Terminated (reexamination certificate issued)
<i>Ex. Parte</i> Reexamination No. 90/014,148 (U.S. Patent No. 9,975,750)	Findings of fact and conclusions of law regarding obviousness, including the level of skill in the art and secondary indicia of non-obviousness (Ex. 1029 in IPR2025-00170)	Terminated (reexamination certificate issued)

These proceedings are identified and addressed in the Parties' papers in the current proceedings. But please let us know if the Board would like any additional information regarding these proceedings.



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

From: Trials <Trials@USPTO.GOV>

Sent: Tuesday, October 7, 2025 9:48 AM

To: david.odell.ipr@haynesboone.com; kelly.lyle.ipr@haynesboone.com;
hong.shi.ipr@haynesboone.com; greg.michelson.ipr@haynesboone.com;
russ.emerson.ipr@haynesboone.com; Richard L. Brophy <RBrophy@atllp.com>; Marc Vander Tuig
<MVanderTuig@atllp.com>; Michael J. Vander Molen <mvandermolen@atllp.com>

Cc: Trials <Trials@USPTO.GOV>

Subject: General Order, IPR2025-00167, -00168, -00169, -00170, -00171

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Counsel,

The September 202, 2025 General Order required that “the parties shall send a joint email to Trials@uspto.gov providing developments in any related matter as set forth above within five business days (if the development has already occurred) or within five business days of the development occurring.” Five business days have passed, and the Board has not received an email from the parties.

The General Order applies to “developments regarding adjudication of validity or patentability of the challenged patent claims, or substantially similar patent claims, such as claim construction, findings of fact, or conclusions of law, in ‘any other judicial or administrative matter that would affect, or be affected by, a decision in the proceeding’ and is identified as a related matter under 37 C.F.R. § 42.8(b)(2).” At the time of institution, the related district court proceeding, *Vermeer Manufacturing Company vs. Kubota North America Corporation and Kubota Tractor Corporation*, Case No. 4:24-cv-00799-P (NDTX), was stayed. Please confirm that there have been no developments or please apprise the Board of any developments, no later than October 10, 2025.

Regards,

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



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