

**From:** [Trials](#)  
**To:** [Todd M. Siegel](#); [Trials](#)  
**Cc:** [Samuel Thacker](#); [Amy C. Haspel](#); [Delaine J. Tanner](#); [andrew.mason@klarquist.com](#); [Daughtrey, Natasha E](#); [Larochelle, Christie](#); [Gordon, Lori A](#); [DG-X1-IPR](#); [Murray, Emma](#); [Stephanie R. Fulk](#)  
**Subject:** RE: IPR2025-00253, -00254, -00255: Request for Authorization to File Motion to Strike  
**Date:** Tuesday, April 14, 2026 12:15:59 PM  
**Attachments:** [image001.png](#)

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Counsel,

On April 10, 2026, Petitioner Microsoft emailed the Board to request authorization to file a 2-page motion to strike Exhibit 2027 in each of IPR2025-00253, -00254, and -00255 and to strike the portions of Patent Owner's sur-replies that rely on this exhibit. Patent Owner opposes the request. Petitioner is authorized to file a motion of no more than two pages by no later than April 16, 2026 addressing the question of whether to strike Exhibit 2027. Patent Owner may file a reply of no more than two pages by no later than April 20, 2026. No other issues may be raised in either submission.

Regards,

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



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**From:** Todd M. Siegel <todd.siegel@klarquist.com>  
**Sent:** Friday, April 10, 2026 3:22 PM  
**To:** Trials <Trials@USPTO.GOV>  
**Cc:** Samuel Thacker <Samuel.Thacker@klarquist.com>; Amy C. Haspel <Amy.Haspel@klarquist.com>; Delaine J. Tanner <Delaine J. Tanner@klarquist.com>; andrew.mason@klarquist.com; Daughtrey, Natasha E <NDaughtrey@goodwinlaw.com>; Larochelle, Christie <CLarochelle@goodwinlaw.com>; Gordon, Lori A <LoriGordon@goodwinlaw.com>; DG-X1-IPR <DG-X1-IPR@goodwinlaw.com>; Murray, Emma <emurray@goodwinlaw.com>; Stephanie R. Fulk <Stephanie.Fulk@klarquist.com>  
**Subject:** IPR2025-00253, -00254, -00255: Request for Authorization to File Motion to Strike

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Dear Honorable Board,

In each of IPR2025-00253, -00254, and -00255, Petitioner Microsoft respectfully requests authorization to file a

2-page motion to strike EX2027 (filed with Patent Owner's sur-replies) and the portions of the sur-replies that rely on this exhibit. Petitioner conferred with counsel for Patent Owner and **Patent Owner opposes this request**. If the Board grants Petitioner's request, Petitioner would not oppose an equal-length opposition for Patent Owner.

Petitioner's Position

Good cause exists because the filing of, and reliance on, this new exhibit violates 37 C.F.R. § 42.23(b) and is unnecessary to understand the deposition testimony of Dr. Terveen (EX2026). *See, e.g., Netflix, Inc. v. DivX, LLC*, IPR2020-00511, Paper 46 at 52-56 (PTAB Aug. 13, 2021); *see also id.*, Paper 34 (PTAB Apr. 13, 2021).

Patent Owner's Position

EX2027 was introduced during Dr. Terveen's deposition and he was questioned about it. As such it is necessary to understand the deposition transcript and goes to the credibility of Dr. Terveen's declaration testimony.

Respectfully submitted,

**Todd M. Siegel | Partner**

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