

From: [Director Discretionary Decision](#)
To: [Taeg Sang \(Tim\) Cho](#)
Cc: [Trials](#); [Director Discretionary Decision](#); [Brown, Charley F.](#); [Medatia, Samhitha](#); [Hensley, Drew](#); [BallardCarvana719IPR@ballardspahr.com](#); [Jordan Malz](#); [William Yau](#); [Michael Hilyard](#); [IBM Carvana Service](#)
Subject: RE: Case No. IPR2025-00564
Date: Tuesday, June 10, 2025 1:34:16 PM

In view of the parties' agreement on this matter, the Board will expunge Exhibit 2011, and will include your email to the Board as Exhibit No. 3101.

No call is necessary at this time.

From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, June 10, 2025 1:30 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Subject: FW: Case No. IPR2025-00564

From: Taeg Sang (Tim) Cho <TCho@desmaraisllp.com>
Sent: Thursday, June 5, 2025 11:36 AM
To: Trials <Trials@USPTO.GOV>
Cc: Brown, Charley F. <brownchf@ballardspahr.com>; Medatia, Samhitha <medatias@ballardspahr.com>; Hensley, Drew <hensleyd@ballardspahr.com>; BallardCarvana719IPR@ballardspahr.com; Jordan Malz <JMalz@desmaraisllp.com>; William Yau <WYau@desmaraisllp.com>; Michael Hilyard <MHilyard@desmaraisllp.com>; IBM Carvana Service <IBMCarvanaService@desmaraisllp.com>
Subject: Case No. IPR2025-00564

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Case No. IPR2025-00564

Dear Honorable Board,

Patent Owner requests the Board for leave to file a motion to expunge Exhibit 2011. Petitioner does not oppose Patent Owner's request. The parties have reached the stipulation below.

On May 6, 2025, Patent Owner submitted Exhibit 2011 as evidence to support certain statements in Patent Owner's Brief Seeking Discretionary Denial Of Institution. Paper 8. On June 3, 2025, Petitioner notified Patent Owner that Exhibit 2011 is subject to a district court's

sealing order. See *Carvana, LLC v. International Business Machines Corp.*, Case No. 7:23-cv-8616, D.I. 22 (S.D.N.Y. Oct. 4, 2023).

To avoid unnecessary disputes and the need for Exhibit 2011, the Parties have agreed to the following:

- Patent Owner requests the Board for leave to file an unopposed motion to expunge Exhibit 2011 and
- Carvana (Petitioner) stipulates that, on September 29, 2023, Carvana commenced the underlying litigation in the Southern District of New York.

Should a call be needed for the requested leave, Petitioner and Patent Owner are available during the following time slots:

- June 9, 12:30–2PM ET, 3PM–5PM ET
- June 10, 3PM–6PM ET

Best regards,
Taeg Sang Cho
Counsel for Patent Owner

Taeg Sang (Tim) Cho | Partner

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