Trials@uspto.gov
571.272.7822

Paper 18
Date: April 9, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GETTATTLE, INC.,
Petitioner,

v.

AFTERWORDS, INC.,
Patent Owner.

IPR2025-00677
Patent 10,430,811 B1

Before LINDA E. HORNER and RYAN H. FLAX,
Administrative Patent Judges.

FLAX, *Administrative Patent Judge.*

ORDER
Granting Petitioner's Unopposed Motion to Modify the Schedule
37 C.F.R. § 42.5(c), § 42.71

AfterWords, Inc. ("Patent Owner") is the owner of U.S. Patent 10,430,811 B1 (Ex. 1001, "the '811 patent"). Paper 4, 1 (Patent Owner Mandatory Notices). On March 3, 2025, GetTattle, Inc. ("Petitioner") filed a Petition for *inter partes* review challenging the patentability of claims 1–7, 10, 13, 16, 18, and 19 of the '811 patent. Paper 1, 1 ("Pet."). Trial was instituted on October 7, 2025. Paper 9.

Upon instituting trial, the Board entered a Scheduling Order. Paper 10. On December 18, 2025, the parties filed a Notice of Joint Stipulation to Extend Due Dates 1–3 in relation to the filing of Patent Owner's Response, Patent Owner's Motion to Amend, Petitioner's Reply to Patent Owner's Response, and Patent Owner's Sur-reply to Petitioner's Reply. Paper 11. This stipulation did not, nor could it, modify Due Date 2 as it relates to Petitioner's Opposition to Patent Owner's Motion to Amend. *See* Paper 10, 9–10. Thus, the due date for this Opposition was March 24, 2026; no such Opposition was filed by that date. However, the parties have several times indicated to the Board that they desired to move the respective due date to April 7, 2026. *See* Exs. 3002, 3003. And, on April 7, 2026, Petitioner filed an Opposition to Patent Owner's Contingent Motion to Amend. Paper 15.

With our authorization (Ex. 3002), Petitioner now moves the Board to retroactively modify this proceeding's Schedule to change Due Date 2 as it relates to the filing of Petitioner's Opposition to Patent Owner's Motion to Amend to be April 7, 2026. Paper 17 ("Motion"). Patent Owner does not oppose the motion. *Id.* at 1. Petitioner asserts it was confused and erroneously believed the Board had already approved the schedule modification in the Board's email of March 26, 2026, when it authorized the

filing of the respective motion to modify the Schedule (*see* Ex. 3002). Motion 1.

A conference call between the parties' counsel and the Panel was held on April 9, 2026, to discuss the parties' desired schedule modifications. Patent Owner confirmed that the Motion was unopposed. Petitioner explained its confusion over the respective requirements to modify the schedule.

Based on the unique circumstances here, we find good cause exits to *grant* Petitioner's unopposed motion. We, therefore, modify the Schedule in this proceeding to change Due Date 2 as it applies to the filing of Petitioner's Opposition to Patent Owner's Motion to Amend to April 7, 2026, and, accordingly, said Opposition is considered timely filed.

ORDER

Accordingly, it is hereby:

ORDERED that Petitioner's unopposed Motion is *granted*; and

FURTHER ORDERED that the Schedule in this proceeding is modified to change Due Date 2, as it applies to the filing of Petitioner's Opposition to Patent Owner's Motion to Amend, to April 7, 2026;

NO FURTHER relief is presently granted.

For PETITIONER:

Timothy J. Bechen
Josh Long
Nathan Evans
WOODS ROGERS VANDEVENTER BLACK PLC
timothy.bechen@woodsrogers.com
josh.long@woodsrogers.com
nevans@woodsrogers.com

For PATENT OWNER:

Jeffrey B. Fabian
Samantha Regala
J. Todd Timmerman
SHUMAKER, LOOP & KENDRICK, LLP
jfabian@shumaker.com
sregala@shumaker.com
ttimmerman@shumaker.com