

From: [Trials](#)
To: [Weed, Benjamin](#); [Trials](#); [Kellogg, Andrew](#); [Justin Poplin](#); hanis@avekip.com; [Wang, Wei](#); [Chan, Raymond](#)
Subject: RE: IPR2025-01231 - Joint Email Regarding Scheduling
Date: Wednesday, July 29, 2026 1:50:05 PM
Attachments: [image002.png](#)
[image003.png](#)

Counsel,

A conference call has been scheduled for 9:30 am Eastern TOMORROW, July 30.
The dial in number is 540-566-5633 and the passcode is 410784620#

Regards,

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



From: Weed, Benjamin <ben.weed@glacier.law>
Sent: Wednesday, July 29, 2026 11:00 AM
To: Trials <Trials@USPTO.GOV>; Kellogg, Andrew <Andrew.Kellogg@USPTO.GOV>; Justin Poplin <JPoplin@avekip.com>; hanis@avekip.com; Wang, Wei <wei.wang@glacier.law>; Chan, Raymond <raymond.chan@glacier.law>
Subject: Re: IPR2025-01231 - Joint Email Regarding Scheduling

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Dear Board,

We have conferred, and the parties are available from 2:00-4:00 Eastern today or 9:00-10:00 tomorrow morning. Petitioner has secured a court reporter.

Ben

From: Trials <Trials@USPTO.GOV>

Date: Tuesday, July 28, 2026 at 3:02 PM

To: "Weed, Benjamin" <ben.weed@glacier.law>, Trials <Trials@USPTO.GOV>, "Kellogg, Andrew" <Andrew.Kellogg@USPTO.GOV>, Justin Poplin <JPoplin@avekip.com>, "hanis@avekip.com" <hanis@avekip.com>, "Wang, Wei" <wei.wang@glacier.law>, "Chan, Raymond" <raymond.chan@glacier.law>

Subject: RE: IPR2025-01231 - Joint Email Regarding Scheduling

Dear Counsel,

The parties are instructed to meet and confer, and propose several times for a conference call with the Board on Wednesday, July 29 between 9am and 4pm ET and Thursday, July 30 between 9 and 11am ET to discuss Petitioner's request to move the due dates identified below. The parties shall also be prepared to discuss the current status of the ongoing discovery, including a proposed schedule for that discovery and briefing on a motion to terminate and opposition. Petitioner shall retain a court reporter to prepare a transcript of the conference call.

Regards,

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



From: Weed, Benjamin <ben.weed@glacier.law>

Sent: Friday, July 24, 2026 3:40 PM

To: Trials <Trials@USPTO.GOV>; Kellogg, Andrew <Andrew.Kellogg@USPTO.GOV>; Justin Poplin <JPoplin@avekip.com>; hanis@avekip.com; Wang, Wei <wei.wang@glacier.law>; Chan, Ryamond <raymond.chan@glacier.law>

Subject: Re: IPR2025-01231 - Joint Email Regarding Scheduling

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Dear Board,

I am backup counsel for Petitioner in the above-captioned proceedings. I write to request a call with the Board (if needed) to follow up on the below email chain regarding scheduling. The pertinent facts are below.

On July 1, 2026, the parties emailed the Board about the impending Due Date 2 (which, at the time, was July 6, 2026) in view of the pending motions regarding real parties in interest and additional discovery. On July 2, 2026, the Board by the email below extended Due Date 2 by one week in view of rulings on the pending motions "next week" (i.e., the week of July 6, 2026). In the afternoon of Friday, July 10, 2026, the Board ruled on the pending motions.

After the close of business on Monday, July 13, I emailed counsel for Patent Owner to discuss scheduling in view of the Board's orders. I did not hear back until Wednesday, July 15, and we set and conducted a call on Thursday, July 16, where the parties discussed scheduling of the anticipated discovery, motion practice, and the remaining substantive PTAB due dates. At that time, I told Patent Owner's counsel I would provide a proposed schedule to move dates to avoid, as much as possible, overlap of the substantive briefing schedule and the anticipated motion practice on real parties in interest and discovery. I also committed to certain dates regarding discovery responses. I also mentioned that that because there is no motion to amend filed, and because Petitioner does not anticipate filing motions to exclude evidence, some of the dates could be more easily moved than might otherwise be possible. I provided Patent Owner's counsel the following proposed schedule on Tuesday, July 21, 2026:

Due Date 2 (Only needed as to Reply): August 10, 2026

Due Date 3 (Only needed as to Sur-Reply): September 21, 2026

Due Date 5 (Only needed as to Motions to Exclude): October 5, 2026 (We do not anticipate filing motions to exclude)

Due Date 7 (Oppositions to Motions to Exclude): October 8, 2026 (We do not anticipate filing motions to exclude)

On July 24, 2026, Patent Owner indicated that it does not agree to change the schedule, and that a call with the Board was necessary.

Patent Owner's position is as follows:

Patent Owner does not agree to extend Due Date 2 or to move Due Dates 3, 5, and 7. Patent Owner's Response was filed April 10, 2026. Due Date 2 was originally July 6, 2026. On July 2, 2026, over Patent Owner's objection, the Board extended Due Date 2 to July 13, 2026, and stated that "if the parties have further questions about moving the due dates, they should contact the Board next week." Petitioner did not contact the Board. On July 10, 2026, the Board entered its Orders on the pending motions and stated that "Petitioner is warned that we

are unlikely to accept further untimely filings from Petitioner in this proceeding." Paper 28, 5. Petitioner filed no reply. Petitioner sought the July extension "to permit the Board and the parties the opportunity to resolve the alleged real-party-in-interest issues." Under Petitioner's current proposal, its reply would be due August 10, 2026, before the deposition authorized by Paper 29 and before any motion to terminate. Patent Owner respectfully requests that the Board deny Petitioner's request.

Thanks,
Ben

From: Trials <Trials@USPTO.GOV>
Date: Thursday, July 2, 2026 at 4:13 PM
To: "Weed, Benjamin" <ben.weed@glacier.law>, "Kellogg, Andrew" <Andrew.Kellogg@USPTO.GOV>, Justin Poplin <JPoplin@avekip.com>, "hanis@avekip.com" <hanis@avekip.com>, "Wang, Wei" <wei.wang@glacier.law>, "Chan, Ryamond" <raymond.chan@glacier.law>
Cc: Trials <Trials@USPTO.GOV>
Subject: RE: IPR2025-01231 - Joint Email Regarding Scheduling

Dear Counsel,

The Board panel grants a one-week extension of time for Due Date 2 to July 13, 2026. The Board anticipates ruling on the pending motions next week and if the parties have further questions about moving the due dates, they should contact the Board next week.

Regards,

Tina Williams
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Weed, Benjamin <ben.weed@glacier.law>
Sent: Wednesday, July 1, 2026 5:02 PM
To: Kellogg, Andrew <Andrew.Kellogg@USPTO.GOV>; Trials <Trials@USPTO.GOV>
Cc: Justin Poplin <JPoplin@avekip.com>; hanis@avekip.com; Wang, Wei <wei.wang@glacier.law>; Chan, Ryamond <raymond.chan@glacier.law>
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Dear Board,

We write regarding the above-captioned matter. As the Board is aware, there are presently

two pending motions that could affect whether this matter proceeds based on alleged real party-in-interest issues (Paper Nos. 21 and 23). The oppositions have been filed, but in the meantime Due Date 2 is approaching on July 6, 2026.

Petitioner believes it is advisable for the parties to agree to extensions of time to be filed to permit the Board and the parties the opportunity to resolve the alleged real-party-in-interest issues. Petitioner believes that extensions could be agreed to by the parties, per the Scheduling Order (and without moving Due Dates 4, 6, 8, and 9), to accommodate such resolution.

Patent Owner is not comfortable agreeing to matters in this case with a non-party and believes that in any event an extension of Due Date 2 is not warranted. The RPI issues in this case were identified by Patent Owner early on, but Patent Owner was forced to unnecessarily incur substantial costs to obtain and present additional information (which was in Petitioner's possession) to the Board. Petitioner seeks to preclude wastage of its resources in case the RPI questions are decided against it. Such an extension ignores that the RPI problem is one of Petitioner's own making.

The parties can be available for a conference call, should the Board believe one would be useful.

Thank you,
Ben Weed

GLACIER LAW LLP