From: Dave Rosenblatt
To: Chris Cherry
Cc: Vincent Rubino
Subject: [EXTERNAL] FW: Fabricant LLP re Valtrus Innovations Limited
Date: Friday, March 14, 2025 1:23:59 PM

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Dear Mr. Cherry,

I am in receipt of your March 12, 2025 email to Mr. Rubino. Please direct all future communications regarding this matter to me.

Valtrus notified FedEx it was infringing multiple Valtrus patents on October 16, 2024 via a letter from Mr. Rubino to Mr. Allen ("Letter"). Your allegation, almost five months after Valtrus sent the Letter, that FedEx "takes intellectual property rights seriously" is belied by the fact that FedEx has: (1) failed to conduct a reasonable investigation into its infringement (see your email stating FedEx does not have a "sufficient basis" to "conduct a reasonable investigation"); and (2) as far as Valtrus is able to ascertain, continued to willfully infringe multiple Valtrus patents. Since sending the Letter, Valtrus has identified additional patents FedEx infringes and/or infringed.

In an attempt to amicably resolve FedEx's need for a patent license, the Letter requested to have a meeting with FedEx. Valtrus's request was met with silence until two days ago when, in your email, you placed conditions on the mere possibility of having licensing discussions. Once again, Valtrus is making a request to amicably resolve FedEx's need for a patent license. Please let me know whether you are available for a call to attempt to amicably resolve this matter without further delay.

Regards,
Dave

From: Chris Cherry <chris.cherry@fedex.com>
Sent: Wednesday, March 12, 2025 3:45:52 PM
To: Vincent Rubino <vrubino@fabricantllp.com>
Subject: Fabricant LLP re Valtrus Innovations Limited

March 12, 2025

Mr. Vincent J. Rubino III
Fabricant LLP
51 JFK Parkway, 1ST FL West, Suite 148

FEDEX 1113
Fedex Corp. v. Valtrus Innovations Ltd.
IPR2026-00039

Short Hills, NJ 07078

Re: Valtrus Innovations Limited

Dear Mr. Rubino,

Your October 16, 2024 letter on behalf of Valtrus Innovations was forwarded to me for response. As you know, FedEx Corporation ("FedEx") is a leader in the logistics and package handling field and it takes intellectual property rights seriously.

We have reviewed your letter in detail and do not understand why Valtrus believes that FedEx products or offerings practice any of the patents listed in your letter. First, we note that the letter does not identify a single FedEx product or service, but rather lists a variety of software products that are made by other companies. While your letter states that a "[p]reliminary analysis reveals that FedEx is currently making, using, selling, or offering for sale products and services that practice (directly or indirectly) one or more of the Valtrus patents," Valrtus's letter provides absolutely no basis to conclude that FedEx uses the various software packages listed. To the contrary, it appears that Valrtus just listed a variety of different programs with no investigation at all into whether FedEx even uses them.

At most, Valtrus's assertions appear to be directed to third party software programs. Moreover, your letter further fails to explain how or why any of these third-party software packages potentially infringe any one of the listed patents. A list of patent numbers devoid of any explanation is simply not a sufficient basis for FedEx to conduct a reasonable investigation. If Valtrus is alleging that one of the listed software programs practices one of its patents, Valtrus must provide a reasonable basis for that belief. Please provide that analysis in relation to a FedEx product so that FedEx can investigate the validity of your assertions against FedEx. If Valtrus wishes to have a discussion with FedEx, please provide a claim chart identifying the specific reasons why you believe that certain FedEx products practice specific patent claims.

Best regards,

Chris Cherry

Chris Cherry| Staff Director | Patent Law | FedEx Corporation
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