
From: Daniel Gopenko
Sent: Wednesday, April 22, 2026 4:45 PM
To: Chad Pehrson; Tom Briscoe; Bud Todd
Cc: Daniel Gopenko
Subject: RE: Web3AI v Strategy (2:25-cv-00260 EDVa) - Order on Motion to Dismiss

Web3AI Counsel,

I am reaching out (again) in the interest of resolving this matter efficiently as my prior attempts have gone unanswered.

As it currently stands, Web3AI's '574 Patent is invalid. Should Web3AI accept the District Court's holding and not appeal, Strategy would approach the PTAB to withdraw its pending IPR petition, as there would be no further need to expend the parties' time and resources, or those of the PTAB, assessing the patent's validity. However, if Web3AI intends to appeal the District Court decision invalidating the '574 Patent, then there is every reason to continue the IPR because the question of validity is again on the table.

Strategy prefers to update the PTAB as quickly as possible. Therefore, **please let me know by Noon EST on Friday, April 24 whether Web3AI will prolong the current proceedings by filing a notice of appeal.** It is Web3AI's choice whether to render unnecessary any further inquiry into patentability/validity, at the PTAB or elsewhere.

I look forward to receiving your answer by Friday, and remain available to discuss settlement options on behalf of Strategy.

Regards,
Dan

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From: Daniel Gopenko <gopenko@fr.com>
Sent: Wednesday, April 08, 2026 1:01 PM
To: Chad Pehrson <cpehrson@kba.law>
Cc: Tom Briscoe <tbriscoe@kba.law>; Bud Todd <btodd@kba.law>; Daniel Gopenko <gopenko@fr.com>
Subject: RE: Web3AI v Strategy (2:25-cv-00260 EDVa) - Order on Motion to Dismiss

[Adding Tom and Bud]

Chad,

It has been over a week since I sent the below email requesting your availability to discuss this case. Strategy's deadline to move for fees is now fast approaching. By COB today, please provide Web3AI's position on extending the Rule 54 fees deadline to allow the parties an opportunity to explore resolving all pending claims in Virginia and at the PTAB.

I have availability on Thursday (4/9) to discuss. How about you?

Regards,
Dan

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From: Daniel Gopenko <gopenko@fr.com>
Sent: Tuesday, March 31, 2026 9:49 AM
To: Chad Pehrson <cpehrson@kba.law>
Cc: Daniel Gopenko <gopenko@fr.com>
Subject: Web3AI v Strategy (2:25-cv-00260 EDVa) - Order on Motion to Dismiss

Hi Chad,

As you likely saw, the Court granted Strategy's Motion to Dismiss and held the '574 Patent is invalid under § 101. The validity of the '574 Patent also remains under pressure in the pending IPR petition.

When are you free to discuss next steps?

Regards,
Dan

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