

IPR2026-00334
Patent No. 12,231,703

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PINTEREST, INC.,

Petitioner,

v.

OPENTV, INC.,

Patent Owner.

Case IPR2026-00334

Patent No. 12,231,703

**PATENT OWNER'S UNOPPOSED MOTION FOR ACCEPTANCE OF
LATE ELECTRONIC FILING OF PATENT OWNER'S PRELIMINARY
RESPONSE**

Patent Owner OpenTV, Inc. respectfully submits this unopposed Motion requesting that the Board accept the submission of Patent Owner's Preliminary Response ("POPR") once P-TACTS is available.

I. Statement of Material Facts

1. Patent Owner's deadline for submitting its POPR in this proceeding was July 8, 2026. *See* Paper 3 at 2.

2. Patent Owner's counsel attempted to file its completed POPR and associated Exhibits on or around 9:30 PM CT using P-TACTS.

3. Patent Owner's counsel encountered various errors in using P-TACTS. These errors prevented the filing of Patent Owner's POPR and Exhibits.

4. Patent Owner's counsel immediately followed the alternative filing procedure by (1) serving opposing counsel via email at 10:21 PM CT on July 8, 2026; and (2) providing notice of that service to the Board via email at 10:30 PM CT on July 8, 2026.

5. On July 9, 2026, Patent Owner's counsel called the Board's line at 571-272-9797. Patent Owner's counsel was informed that the P-TACTS issues experienced on July 8, 2026 were part of a known P-TACTS outage.

6. Petitioner has indicated it does not oppose the relief requested in this motion.

II. The Board May Excuse Patent Owner's Late Action for Good Cause.

“A late action will be excused on a showing of good cause or upon a Board decision that consideration on the merits would be in the interests of justice.” 37 C.F.R. § 42.5(c)(3). Here, Patent Owner's inability to file due to a known P-TACTS outage constitutes good cause.

More specifically, Patent Owner timely completed its POPR submissions and timely served the same on Petitioner via alternative means as provided for by the Patent Trial and Appeal Board. Filing was prevented solely due to the known P-TACTS outage. Upon learning of the outage, Patent Owner follow proper procedure to notify the Board of service. Patent Owner has since conferred with Petitioner's counsel, who does not oppose the relief sought by this Motion. Now, Patent Owner requests acceptance of its POPR submission once P-TACTS is available, further following the USPTO's guidance concerning alternative methods of filing for the PTAB Patent Trial and Case Tracking System.

Good cause exists because Patent Owner's late filing was caused through no fault of Patent Owner, but rather a known P-TACTS outage. Furthermore, Patent Owner has expeditiously followed proper procedure to remedy the late filing due to the P-TACTS outage. Patent Owner's Motion should be granted accordingly.

For the above reasons and good cause shown, Patent Owner respectfully requests the Board excuse Patent Owner's late filing.

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Dated: July 9, 2026

Respectfully submitted,

/Cyrus A. Morton/

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Patent Owner's Unopposed Motion for Acceptance of Late Electronic Filing of Patent Owner's Preliminary Response was served on July 9, 2026, by electronic mail to Petitioner's counsel at the following addresses indicated in Petitioner's Mandatory Notices:

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Dated: July 9, 2026

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