From:	Trials
To:	Jennifer Chagnon; SkechersHFLIPRs@irell.com; Jason Eisenberg; Melissa Haapala; Kristina Caggiano Kelly; Christopher O"Brien; PTAB Account
Cc:	Trials
Subject:	RE: Request for authorization to file a motion to strike unauthorized exhibits in IPR2026-00342, -00343, -00373, -00443, -00444
Date:	Thursday, August 13, 2026 10:32:46 AM
Attachments:	image002.png image003.png

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Counsel,

Patent Owner is authorized to file a motion to strike in each of IPR2026-00342, IPR2026-00343, IPR2026-00373, IPR2026-00443, and IPR2026-00444, due no later than August 20, 2026, limited to addressing the issues raised in Patent Owner's email below. Petitioner is authorized to file an opposition to the motions, due no later than one week after the motions are filed. No additional briefing on the motions is authorized.

The parties should file their briefs as papers in P-TACTS. The parties are not authorized to file any evidence at this time.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
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1776-2026
UNITED STATES
PATENT AND TRADEMARK OFFICE
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From: Jennifer Chagnon <JChagnon@sternekessler.com>
Sent: Thursday, August 6, 2026 4:38 PM
To: Director_DI <Director_DI@uspto.gov>
Cc: SkechersHFLIPRs@irell.com; Jason Eisenberg <jasone@sternekessler.com>; Melissa Haapala <MHaapala@sternekessler.com>; Kristina Caggiano Kelly <kckelly@sternekessler.com>; Christopher O'Brien <COBrien@sternekessler.com>; PTAB Account <PTAB@sternekessler.com>
Subject: Request for authorization to file a motion to strike unauthorized exhibits in IPR2026-00342,

-00343, -00373, -00443, -00444

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IPR2026-00342 // U.S. Patent No. 11,633,006
IPR2026-00343 // U.S. Patent No. 11,871,811
IPR2026-00373 // U.S. Patent No. 12,247,325
IPR2026-00443 // U.S. Patent No. 12,121,096
IPR2026-00444 // U.S. Patent No. D1,037,641

Honorable Director Squires,

On August 4, 2026, Petitioner filed several new exhibits in the above-referenced IPRs. Petitioner did not confer with Patent Owner or seek authorization from the Board prior to filing these Exhibits, and Petitioner's position (included below) does not identify any regulatory or statutory basis that allows them to do so *at this stage of the proceedings*. Supplemental information under Rule 41.123 is only permitted *by motion* and *after institution*. And supplemental evidence under Rule 42.64(b)(2), which Petitioner references, is only *served* in response to objections, not filed.

Rule 42.7(a) provides that "The Board may expunge any paper . . . that is not authorized under this part or in a Board order or that is filed contrary to a Board order." Patent Owner respectfully requests authorization to file a motion to strike Petitioner's unauthorized filings from the record.

The unauthorized filings are as follows:

Proceeding	**Paper (Updated Exhibit Lists)**	**Exhibits**
IPR2026-00342	Paper 17	1061-1066
IPR2026-00343	Paper 18	1053-1055
IPR2026-00373	Paper 13	1042-1045
IPR2026-00443	Paper 5	1040-1043
IPR2026-00444	Paper 5	1060

Patent Owner has met and conferred with Petitioner on this issue. Petitioner's position is as follows:

> *There is no basis to strike the exhibits filed on August 4 in the above-referenced IPRs.*
>
> *In IPR2026-00342 and IPR2026-00343, Patent Owner asserted that certain translations of prior art references could not be considered because the translators' certifications did not include a Rule 1.68 statement. See, e.g., IPR2026-00342, Paper 13 at 10-13. Patent Owner did not dispute the accuracy of the translations. In order to moot the issue, Petitioner promptly obtained and filed certifications with updated language. In an abundance of caution, Petitioner also filed a supplemental declaration from its expert. The expert's declarations included the Rule 1.68 statement, and the supplemental declaration merely confirmed that the expert "declare[d] under penalty of perjury under the laws of the United States of America that the foregoing is true and correct."*

Permitting the motions to strike would impede "the just, speedy, and inexpensive resolution of [these] proceeding[s]." 37 C.F.R. § 42.1(b). The additional exhibits are of an entirely ministerial nature—to resolve Patent Owner's objections to the form of the translators' certifications. They do not introduce any new evidence or arguments. As noted, Patent Owner has raised no questions regarding the accuracy of the translations. Should Patent Owner's objections to the form of the certifications be raised following institution, Petitioner would simply serve the same supplemental materials. 37 C.F.R. § 42.64(b).

*****

Regards,
Jennifer Chagnon
Counsel for Patent Owner

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