

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

OPTIVER US LLC and OPTIVER TRADING US LLC,
Petitioner,

v.

HFT SOLUTIONS, LLC,
Patent Owner.

IPR2026-00383 (Patent 12,107,587 B1)
IPR2026-00384 (Patent 10,763,865 B1)¹

Before KALYAN K. DESHPANDE, *Chief Administrative Patent Judge*.

ORDER

Granting Petitioner's Unopposed Motions for Leave to File Corrected
Petition and Corrected Expert Testimony
37 C.F.R. § 42.104(c)

¹ The cases are related but not joined. This Order resolves issues common to both proceedings. The parties are not authorized to use this style heading in any papers without the Board's prior authorization.

In each of the above-captioned proceedings, Optiver US LLC and Optiver Trading US LLC (collectively, “Petitioner”) filed an “Unopposed Motion for Leave to File Corrected Petition and Corrected Expert Testimony.” Paper 4 (“Motion”).² Petitioner seeks to correct certain “typographical and clerical errors in the Petition and the accompanying Declaration of Dr. Ben Carrion-Schaefer, and further the absence of Dr. Benjamin Carrion-Schaefer’s CV in the filings.” Motion 2; *see* Paper 1 (“Petition”); Ex. 1003 (“Schaefer Declaration”). In the Motion, Petitioner provides a chart comparing current language in the Petition and Schaefer Declaration to the proposed corrections in red. Motion 2–11. Petitioner also states that it “intend[s] to update the word count after corrections and execute the signature lines with lead counsel’s signature on the date of filing.” *Id.* at 2 n.2.

In support of its Motion, Petitioner asserts that (1) “[e]ach error is readily apparent from the [P]etition and declaration” and that the information it seeks to add was “inadvertently omitted at the time of filing the Petition,” (2) it acted diligently to correct the errors because it “learned of these errors shortly after filing, and reached out to the Board and Patent Owner within a week from filing of the Petition,” (3) correcting the errors will not prejudice Patent Owner because “the proposed corrections are clerical and grammatical in nature,” “do[] not add any new analysis[,] and thus will not change the Patent Owner’s substantive analysis,” and (4) the correction will not have a negative impact because “correcting the errors

² Citations are to the record in IPR2026-0383. Petitioner filed similar papers and exhibits in IPR2026-00384. Petitioner specifically avers that “Patent Owner does not oppose this request.” Motion 1.

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does not add any new analysis and will not negatively impact the Board's analysis." Motion 12–14.

We find these explanations and arguments by Petitioner persuasive, particularly in light of the unopposed nature of the Motion. Therefore, we grant Petitioner's Motion in each of the above-captioned proceedings.

It is:

ORDERED that Petitioner's Unopposed Motions for Leave to File Corrected Petition and Corrected Expert Testimony are *granted*;

FURTHER ORDERED that Petitioner shall file a Corrected Petition in IPR2026-00383 and in IPR2026-00384, each including the respective proposed corrections, as papers within five (5) business days from the date of entry of this Order;

FURTHER ORDERED that each Corrected Petition shall be accorded the filing date of the corresponding Original Petition (*see* Paper 10);

FURTHER ORDERED that Petitioner shall file a Corrected Schaefer Declaration in IPR2026-00383 and in IPR2026-00384, each including the respective proposed corrections, as exhibits within five (5) business days from the date of entry of this Order;

FURTHER ORDERED that Petitioner shall file a red-line version of the Corrected Petition in IPR2026-00383 and in IPR2026-00384, each showing the respective changes, as exhibits within (5) business days from the date of entry of this Order; and

FURTHER ORDERED that Petitioner shall file a red-line version of the Corrected Schaefer Declaration in IPR2026-00383 and in IPR2026-00384, each showing the respective changes, as exhibits within (5) business days from the date of entry of this Order.

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