
From: sarah.guske@bakerbotts.com
Sent: Wednesday, January 18, 2017 2:54 PM
To: Trials
Cc: sarah.guske@bakerbotts.com; Wayne.Stacy@BakerBotts.com; may.eaton@bakerbotts.com; DLBrightHousePALAIA@BakerBotts.com; PAL-IPR@nelbum.com; brent@nelbum.com; Rylie@nelbum.com; PDMcPherson@duanemorris.com; CJTyson@duanemorris.com; sfbbaction@spencerfane.com; KElliott@spencerfane.com; jhare@spencerfane.com; gdavis@spencerfane.com
Subject: IPR2016-01259, IPR2016-01261, IPR2016-01262, and IPR2016-01263 -- Motion to Submit Supplemental Material

Follow Up Flag: Follow up
Flag Status: Completed

Board:

Pursuant to 37 CFR 42.123 and in accordance with footnote 2 of Paper Nos. 21 (IPR2016-01259), 18 (IPR2016-01261), 18 (IPR2016-01262), and 24 (IPR2016-01263), Petitioners seek the Board's authorization to file a motion to submit previously-expunged Exhibit Nos. 1153 (IPR2016-01259), 1054 (IPR2016-01261), 1054 (IPR2016-01262), and 1053 (IPR2016-01263) as supplemental evidence in IPR2016-01259, IPR2016-01261, IPR2016-01262, and IPR2016-01263. Petitioners believe that the information contained in the exhibits—namely Petitioners' expert's rebuttal opinions regarding how a person of ordinary skill in the art would understand the "switching facility" claim terms—is relevant to the construction of the "switching facility" terms in these cases. Following a meet and confer, Patent Owner has indicated that it opposes Petitioners' request.

Should the Board deem a call necessary before determining whether Petitioners are authorized to submit their motion, while Petitioners are available this afternoon, Patent Owner has indicated that it is instead available on Thursday, January 19th. As such, all parties are available for a call between 3:30 pm and 5 pm ET tomorrow, January 19th.

Sincerely,
Sarah Guske

Sarah J. Guske
Partner

Baker Botts L.L.P.
sarah.guske@bakerbotts.com
T +1.415.291.6205
F +1.415.291.6305
M +1.916.233.5560

101 California Street
San Francisco, California 94111
USA



Confidentiality Notice:

The information contained in this email and any attachments is intended only for the recipient[s] listed above and may be privileged and confidential. Any dissemination, copying, or use of or reliance upon such information by or to anyone other than the recipient[s] listed above is prohibited. If you have received this message in error, please notify the sender immediately at the email address above and destroy any and all copies of this message.