

## Kellogg, Andrew

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**From:** Trials  
**Sent:** Tuesday, October 31, 2017 1:22 PM  
**To:** McKeown, Scott; 'Steve L. Levine'; Trials  
**Cc:** 'todd.siegel@klarquist.com'; 'andrew.mason@klarquist.com'; 'Spencer Patterson'  
**Subject:** RE: conference call request in IPR2017-01131 and IPR2017-01133

Counsel,

The panel authorizes Patent Owner to file a single motion to withdraw Mr. McKeown as lead counsel and Mr. Levine as backup counsel in each of the above identified cases within five business days. The motion to withdraw Mr. McKeown and Mr. Levine shall identify who Patent Owner appoints as lead counsel to take the place of Mr. McKeown to ensure compliance with 37 C.F.R. § 42.10. The motion shall be accompanied by a separate paper updating Patent Owner's Mandatory Notices, per 37 C.F.R. § 42.8, identifying new counsel information. If Petitioner opposes the motion, it shall file an opposition within five business days of the date of filing of the motion. No reply is presently authorized.

Regards,

Andrew Kellogg,  
Supervisory Paralegal  
Patent Trial and Appeal Board  
USPTO  
[andrew.kellogg@uspto.gov](mailto:andrew.kellogg@uspto.gov)  
Direct: 571-272-5366

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**From:** McKeown, Scott [mailto:Scott.McKeown@ropesgray.com]  
**Sent:** Tuesday, October 31, 2017 11:12 AM  
**To:** 'Steve L. Levine' <SLevine@CCSB.com>; Trials <Trials@USPTO.GOV>  
**Cc:** 'todd.siegel@klarquist.com' <todd.siegel@klarquist.com>; 'andrew.mason@klarquist.com' <andrew.mason@klarquist.com>; 'Spencer Patterson' <spatterson@gchub.com>  
**Subject:** RE: conference call request in IPR2017-01131 and IPR2017-01133

Trials,

I am also presently listed as counsel for Patent Owner, but at my old firm address. I moved my practice to Ropes & Gray in August.

I informed Patent Owner that I was unable to proceed, and Patent Owner agreed that I would withdraw as counsel. Please confirm that I am also authorized to file the necessary motion. I apologize for the lack of coordination on these emails.

Thank You

**Scott A. McKeown**  
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**2017 U.S. News & World Report - Best Lawyers**  
**Law Firm of the Year – Patent Law**

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**From:** Steve L. Levine [<mailto:SLevine@CCSB.com>]

**Sent:** Tuesday, October 31, 2017 10:47 AM

**To:** 'Trials@uspto.gov'

**Cc:** 'todd.siegel@klarquist.com'; 'andrew.mason@klarquist.com'; McKeown, Scott; 'Spencer Patterson'

**Subject:** conference call request in IPR2017-01131 and IPR2017-01133

Dear Sir or Madam:

Scope

The undersigned, Stephen Levine, has entered appearances as backup counsel for Patent Owner in *inter partes* reviews IPR2017-01131 and IPR2017-01133. A phone conference with the Board is requested so that Mr. Levine may obtain leave to file a motion to withdraw from both of said IPRs. Counsel for Petitioner in the subject IPRs has indicated that it does not consent to the request for leave and subsequent motion to withdraw.

Proposed call schedule availability

The undersigned counsel (as well as First Back Up counsel) for Patent Owner and counsel for Petitioner are available for the subject call on:

- 1) Wednesday, November 1, 2017, 1:00 pm to 2:00 pm CT
- 2) Thursday, November 2, 2017, 1:30 pm to 3:30 pm CT

Respectfully,

**Steve L. Levine**

*Partner*



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Carrington, Coleman, Sloman & Blumenthal, L.L.P.  
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