

Your Honors,

Patent Owner respectfully requests a conference call with the Board in the above-referenced proceedings. The purpose of the conference call is to discuss the following matters:

First, Patent Owner respectfully requests authorization to file (i) new evidence with its sur-replies, including new expert testimony and exhibits with its replies in the above-referenced proceedings, including well over 200 pages of new expert testimony. Petitioner relies on its replies improperly incorporate by reference arguments in Petitioner's new expert declarations that were not presented or developed in the above-referenced proceedings.

Patent Owner has met and conferred with Petitioner regarding this request, and Petitioner opposes Patent Owner's request for authorization to file the above-referenced evidence.

Second, Patent Owner respectfully requests authorization to file the attached stipulations and supplemental declarations of Dr. Tim Osser, et al. In order to clarify the record in view of the supplemental information, the attached stipulations and supplemental declarations identify the supplemental information.

Patent Owner has met and conferred with Petitioner regarding this request, and Petitioner does not oppose Patent Owner's request to file the attached stipulations and supplemental declarations.

The parties are available for a conference with the Board at the following times (all Eastern):

- Monday, September 13 from 11am-1pm or 3-5pm
- Tuesday, September 14 from 1:30-5pm
- Thursday, September 16 from 12-1pm or 3:30-5pm

Respectfully,

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA LLC
Petitioner

v.

MACNEIL IP LLC
Patent Owner

Case No. IPR2020-01139
Patent No. 8,382,186

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450 Alexandria, Virginia 22313-1450

Submitted Electronically via the Patent Review Processing System

**NOTICE OF STIPULATION REGARDING SUPPLEMENTAL
INFORMATION**

On July 28, 2021, the Board granted Patent Owner's motion to submit supplemental information. Paper 53. Patent Owner submitted the supplemental information. Paper 56. The parties have conferred regarding the citation of this supplemental evidence in declarations, the Patent Owner Response, and Petitioner's Reply. Petitioner does not oppose Patent Owner filing this Stipulation. Accordingly, the Patent Owner Response includes the updated citations referenced in Appendix A. The updated citations correspond to the original citations referenced in Appendix A, which identifies the page number of the original citation. The Patent Owner Response further includes the updated citations to the Exhibit List in Appendix A. Patent Owner agrees that it will in good faith enter into a similar stipulation with respect to Petitioner's Reply.

Respectfully submitted,

Dated: September 9, 2021

By:

David G. Wille
Reg. No. 38,363
Lead Counsel for Patent Owner
MacNeil IP LLC

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), the undersigned certifies that on the September 9, 2021, a complete and entire copy of **NOTICE OF STIPULATION REGARDING SUPPLEMENTAL INFORMATION** was served electronically on Petitioner via electronic mail at the following:

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Date: September 9, 2021

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*Attorneys for Patent Owner, MacNeil
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Appendix A

Explore Litigation Insights

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