

From: [Trials](#)
To: [Henning Schmidt](#); [Trials](#)
Cc: [Chassman, Peter J.](#); [Mitchell, Jonah](#); [Morgan, Christine](#); cshanahan@reedsmith.com; [Detrixhe, Jonathan I.](#); [Jay Kesan](#); [Alfonso Chan](#)
Subject: RE: Qualcomm, ZyXEL v. UNMRI, IPR2021-00375 - Authorization to replace rough transcript with final, and correct clerical error
Date: Tuesday, February 22, 2022 3:32:32 PM

Counsel: Patent Owner's papers listed in the table have been expunged. Patent Owner is authorized to file the agreed upon replacements for Patent Owner's Objections to Evidence filed in IPR2021-00375 and IPR2021-00377, and later send to the Board an e-mail requesting expungement of the corresponding prior versions of Patent Owner's Objections to Evidence.

Thank you,

Maria King
Deputy Chief Clerk for Trials
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
703-756-1288

From: Henning Schmidt <hschmidt@dimuro.com>
Sent: Monday, February 21, 2022 2:00 PM
To: Trials <Trials@USPTO.GOV>
Cc: Chassman, Peter J. <PChassman@ReedSmith.com>; Mitchell, Jonah <JMitchell@ReedSmith.com>; Morgan, Christine <CMorgan@ReedSmith.com>; cshanahan@reedsmith.com; Detrixhe, Jonathan I. <JDetrixhe@ReedSmith.com>; Jay Kesan <jay@jaykesan.com>; Alfonso Chan <achan@shorechan.com>; Henning Schmidt <hschmidt@dimuro.com>
Subject: RE: Qualcomm, ZyXEL v. UNMRI, IPR2021-00375 - Authorization to replace rough transcript with final, and correct clerical error

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Dear Mrs. King,

Pursuant to your below email, Patent Owner has filed the below indicated replacement papers, and accordingly requests that the below indicated superseded papers are expunged. This request is not opposed by Petitioners.

IPR	Filing	Replacement Paper Number	Original Paper Number to be expunged
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IPR2021-00375	PO Motion to Amend	37	27
IPR2021-00375	PO Response	38	28
IPR2021-00377	PO Response	36	26
IPR2021-00582	PO Response	35	27

As further discussed in your below email, Patent Owner and Petitioners have agreed to make the limited corrections specifically agreed by the parties and approved by the Board regarding Patent Owner's Objections to Evidence filed as Paper 31 in IPR2021-00375 and Paper 30 in IPR2021-00377. Patent Owner and Petitioners have further agreed to modify all citations to the rough transcript of the deposition of Petitioner's expert Dr. Roy in these papers with respective citations to the final transcript. With the Board's approval, Patent Owner will file the agreed replacement papers and will then send a notification thereof to you and identify the old papers to be expunged. This request is not opposed by Petitioners.

Please contact me with any questions. Thank you very much for your help!

Sincerely,

From: Trials <Trials@USPTO.GOV>

Sent: Tuesday, December 21, 2021 8:27 AM

To: Henning Schmidt <hschmidt@dimuro.com>; Trials <Trials@USPTO.GOV>

Cc: Chassman, Peter J. <PChassman@ReedSmith.com>; Mitchell, Jonah <JMitchell@ReedSmith.com>; Morgan, Christine <CMorgan@ReedSmith.com>; cshahanahan@reedsmith.com; Detrixhe, Jonathan I. <JDetrixhe@ReedSmith.com>; Jay Kesan <jay@jaykesan.com>; Alfonso Chan <achan@shorechan.com>

Subject: RE: Qualcomm, ZyXEL v. UNMRI, IPR2021-00375 - Authorization to replace rough transcript with final, and correct clerical error

Counsel:

Patent Owner's email does not indicate whether Patent Owner's requests are opposed. Patent Owner should hold a meet and confer with Petitioner to determine whether Petitioner opposes Patent Owner's requests. If Patent Owner's request to refile Patent Owner's Response is unopposed, Patent Owner is authorized in each of IPR2021-00375, IPR2021-00377, and IPR2021-00582 to file a substitute Patent Owner Response limited to updating the citations to the rough transcript (*e.g.*, IPR2021-00375, Ex. 2014) with citations to the certified final transcript (to be filed as Ex. 2015 in IPR2021-00375). No other changes are authorized. Patent Owner also is authorized to file the certified final transcript in each of IPR2021-00375, IPR2021-00377, and IPR2021-00582.

If Patent Owner's Motion to Exclude evidence is unopposed, Patent Owner is authorized to refile the Motion to Exclude in each of IPR2021-00375, IPR2021-00377, and IPR2021-00582

with a corrected caption and certificate of compliance and no other changes.

Following the filing of replacement papers, Patent Owner shall send another email to Trials.gov with notification that the replacement papers have been filed. Patent Owner shall provide in that email for each of IPR2021-00375, IPR2021-00377, and IPR2021-00582 the paper numbers of the papers to be expunged, i.e., Patent Owner's original Response (Paper 28) and Patent Owner's Motion to Exclude (Paper 31) in IPR2021-00375.

If Petitioner opposes Patent Owner's requests, the parties shall send an email with dates and times both parties are available for a call.

Thank you,

Maria King
Deputy Chief Clerk for Trials
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
703-756-1288

From: Henning Schmidt <hschmidt@dimuro.com>
Sent: Friday, December 17, 2021 2:52 PM
To: Trials <Trials@USPTO.GOV>
Cc: Henning Schmidt <hschmidt@dimuro.com>; Chassman, Peter J. <PChassman@ReedSmith.com>; Mitchell, Jonah <JMitchell@ReedSmith.com>; Morgan, Christine <CMorgan@ReedSmith.com>; cshahanahan@reedsmith.com; Detrixhe, Jonathan I. <JDetrixhe@ReedSmith.com>; Jay Kesan <jay@jaykesan.com>; Alfonso Chan <achan@shorechan.com>
Subject: Qualcomm, ZyXEL v. UNMRI, IPR2021-00375 - Authorization to replace rough transcript with final, and correct clerical error

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Your Honors,

Patent Owner writes to address two issues.

1. By agreement of the parties, the deposition of Petitioner's expert, Dr. Roy, was taken on Dec. 6, 2021, only one day in advance of the due date for Patent Owner's Response and Motion to Amend. As a result, Patent Owner submitted the rough transcript of the Roy deposition as EX2014 and cited thereto in its Patent Owner response (Paper 28).
Petitioner has objected to the rough transcript, and Patent Owner has received the final

- transcript on Dec. 16, 2021. Patent Owner therefore propose the following:
- a. submitting the final transcript as EX2015 to replace and expunge EX2014 (the rough transcript)
 - b. file a substitute Patent Owner response limited to updating the citations to EX2014 (rough) with citations to EX2015 (certified final) to replace and expunge Patent Owner's original Response (Paper 28)
2. Upon review of the filed version of Paper 31 (Patent Owner's Motion to Exclude Evidence), it has come to Patent Owners' attention that a technical error occurred in the conversion of the word file to pdf format. Patent Owner therefore requests authorization to refile Patent Owner's Motion to Exclude with a corrected caption and certificate of compliance and no other changes, and to expunge the corrupted version of the Motion at Paper 31. The Motion to Exclude due date has not yet passed.

Sincerely,

Henning Schmidt, Esq
DiMuroGinsberg, P.C.
Inglewood Business Center
1502 Inglewood, B
Austin, TX, 78741
☎: (512) 826-7067
✉: HSchmidt@DiMuro.com

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