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From: Trials
Sent: Thursday, March 31, 2022 9:12 AM
To: Paul Hart; Trials
Cc: Reza Mirzaie; jmilkey@raklaw.com; Adam Seitz; ptab@eriseip.com; rak_futurelink@raklaw.com
Subject: RE: Apple v. Future Link IPRs (IPR2021-01487, IPR2021-01488, IPR2022-00209): Request to Submit Order re Transfer

Counsel, the Board will enter the Western District of Texas stay Order and this email chain as separate exhibits in each case without additional briefing or a teleconference.

Thank you,

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

From: Paul Hart <paul.hart@eriseip.com>
Sent: Tuesday, March 29, 2022 1:05 PM
To: Trials <Trials@USPTO.GOV>
Cc: Reza Mirzaie <rmirzaie@raklaw.com>; jmilkey@raklaw.com; Adam Seitz <adam.seitz@eriseip.com>; ptab@eriseip.com; rak_futurelink@raklaw.com
Subject: Apple v. Future Link IPRs (IPR2021-01487, IPR2021-01488, IPR2022-00209): Request to Submit Order re Transfer

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To the Board,

I represent Petitioner Apple Inc. in the following proceedings: IPR2021-01487, IPR2021-01488, IPR2022-00209. In each of these proceedings, Patent Owner argued in its Preliminary Responses that institution should be denied under *Fintiv* in view of parallel litigation in the Western District of Texas. Yesterday, the Court issued the attached order in the parallel litigation, staying that case and stating that a subsequent order would issue transferring the case from the Western District of Texas to the Northern District of California. Accordingly, the schedule on which Patent Owner's *Fintiv* arguments turn no longer applies.

Petitioner requests a conference with the Board to discuss the following:

- 1) Petitioner seeks to introduce the order granting transfer into each of the above-listed proceedings.
- 2) Petitioner requests permission to explain the relevance of transfer to Patent Owner's *Fintiv* arguments. In both IPR2021-01487, IPR2021-01488, the Board's deadline to institute review is just weeks away. To avoid burdening the

transfer order on a teleconference and submitting a transcript of that teleconference for the record. For IPR2022-00209, Petitioner proposes the transfer relevance be addressed in a short three page brief.

Petitioner emailed Patent Owner's counsel yesterday to determine whether Patent Owner opposes Petitioner's request. As of this email, Petitioner has not received a response from Patent Owner.

Petitioner is available for the requested conference with the Board any time Wednesday-Friday this week.

Respectfully,

Paul Hart | Shareholder

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