

**From:** [Kushan, Jeffrey P.](#)  
**To:** [Trials](#)  
**Cc:** ["Werber, Matthew"](#); [Hayes, Jennifer](#); [Schwartz, Daniel](#); [Fougere, Josh](#); [Mahoney, Matthew](#); [Reid, Christine](#); [Christopher, Angelo](#)  
**Subject:** IPR2022-00031 - Adjustment of Schedule  
**Date:** Friday, August 18, 2023 6:08:37 PM  
**Attachments:** [image001.png](#)

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Your Honors,

The parties have conferred and jointly request that the Board adjust the schedule set by its order of August 11, 2023, including the date of the oral hearing.

The need to alter the schedule is prompted by two issues.

First, lead counsel for Apple is presently briefing a preliminary injunction motion for another client in the District of New Jersey. The court in that case set a briefing schedule that requires lead counsel for Apple to take depositions and prepare briefs during the period October 1 to October 15, in anticipation of a multi-day hearing starting October 30. The court set that schedule before the Board issued its order in this proceeding. It is not feasible for counsel to prepare for and conduct the oral hearing in this case on October 13 in view of those competing obligations. MemoryWeb does not oppose adjustment of the oral hearing date, provided it is not extended beyond October 19. Counsel for MemoryWeb has a conflict beginning October 24 in relation to a trial beginning the first week of November in the Eastern District of Texas.

Second, the parties anticipate that confidential materials will be produced by Apple and a third party (Unified Patents). A protective order will be required to be entered in this proceeding before any of those confidential materials are filed as exhibits in this proceeding. The parties anticipate that a motion for entry of a protective order will be filed today.

Counsel have consulted and jointly submit the following proposed revised schedule for the proceedings that would navigate the scheduling conflicts the Board's present schedule causes.

Due Date 3: August 21 (unchanged)  
Due Date 4: Aug. 31 --> September 7, 2023  
Due Date 5: Sept. 14 --> September 21, 2023  
Due Date 6: Sept. 28 --> October 5, 2023  
Due Date 7: Oct. 6 --> October 11, 2023  
Due Date 8: Oct. 13 --> October 18 or 19.

If the Board wishes to conduct a conference with the parties regarding this request, please advise the parties and we will work together to provide times for a call.

Sincerely,

Jeff Kushan  
**JEFFREY P. KUSHAN**

**SIDLEY AUSTIN LLP**  
1501 K Street, N.W.  
Washington, DC 20005  
+1 202 736 8914  
[jkushan@sidley.com](mailto:jkushan@sidley.com)  
[www.sidley.com](http://www.sidley.com)  
**SIDLEY**

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