

**From:** Hayes, Jennifer <[jenhayes@nixonpeabody.com](mailto:jenhayes@nixonpeabody.com)>

**Sent:** Thursday, August 4, 2022 5:12 PM

**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>

**Cc:** Kushan, Jeffrey P. <[jkushan@sidley.com](mailto:jkushan@sidley.com)>; Smith, Kyle <[kyle.smith@sidley.com](mailto:kyle.smith@sidley.com)>; Border, Scott <[sborder@sidley.com](mailto:sborder@sidley.com)>; Sidley Apple v. MemoryWeb IPRs <[SidleyAppleMemoryWebIPRs@sidley.com](mailto:SidleyAppleMemoryWebIPRs@sidley.com)>

**Subject:** RE: IPR2022-00031, -00032, -00033 and PGR2022-00006

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Your Honors,

The parties have met and conferred and agree that a consolidated hearing for all four cases with a single transcript would make sense. Memory Web respectfully requests two hours per side for the hearing. Apple has indicated that they support either MemoryWeb's request for two hours or the Board's proposal of 1.5 hours per side.

The parties are available for an in person hearing in Alexandria or San Jose.

Please let us know if we can provide any further information.

Best,

Jennifer

**From:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>  
**Sent:** Friday, July 22, 2022 8:06 AM  
**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>; Hayes, Jennifer <[jenhayes@nixonpeabody.com](mailto:jenhayes@nixonpeabody.com)>  
**Cc:** Kushan, Jeffrey P. <[jkushan@sidley.com](mailto:jkushan@sidley.com)>; Smith, Kyle <[kyle.smith@sidley.com](mailto:kyle.smith@sidley.com)>; Border, Scott <[sborder@sidley.com](mailto:sborder@sidley.com)>; Sidley Apple v. MemoryWeb IPRs <[SidleyAppleMemoryWebIPRs@sidley.com](mailto:SidleyAppleMemoryWebIPRs@sidley.com)>  
**Subject:** RE: IPR2022-00031, -00032, -00033 and PGR2022-00006

**[EXTERNAL E-MAIL]**  
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Counsel:

The panel is generally agreeable to the revised schedule you have proposed for these cases, however the prospect of holding four separate hearings on a single day is somewhat concerning. How does counsel envision the hearings would be handled on that day? If there are economies to be gained as counsel suggests, then perhaps having a consolidated hearing for all four cases with a single transcript would make sense. We would also need to limit the total amount of argument time allocated to a consolidated hearing. Would counsel be able to complete all their arguments if the total amount of argument time allocated to a consolidated hearing were limited to 3 hours (1.5 hours per side)? Please advise if this is acceptable and we will issue an order in due course.

The scheduling orders in these proceedings provided that the final hearings, if requested by either party, would take place at the USPTO Headquarters in Alexandria, Virginia (IPR2022-00032 and PGR2022-00006, and alternatively for IPR2022-00031 and IPR2022-00033) or the USPTO Silicon Valley Regional Office in San Jose, California (IPR2022-00031 and IPR2022-00033, and alternatively PGR2022-00006). In light of the USPTO re-opening, the consolidated hearing in this proceeding may be conducted in person at the USPTO Headquarters in Alexandria, Virginia, USPTO Silicon Valley Regional Office in San Jose, California, or virtually by video conference

For the parties' information in making this decision, if the hearing is held in Alexandria or San Jose, one judge will appear in-person from the USPTO headquarters in Alexandria, one judge will appear in-person from the San Jose, California, USPTO Regional Office, and two judges will appear virtually by video conference.

Please advise as to the parties preference in this regard.

Regards,

Andrew Kellogg,  
Supervisory Paralegal

Patent Trial and Appeal Board

USPTO

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(571)272-7822

**From:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>  
**Sent:** Monday, July 18, 2022 4:33 PM  
**To:** Hayes, Jennifer <[jenhayes@nixonpeabody.com](mailto:jenhayes@nixonpeabody.com)>; Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>  
**Cc:** Kushan, Jeffrey P. <[jkushan@sidley.com](mailto:jkushan@sidley.com)>; Smith, Kyle <[kyle.smith@sidley.com](mailto:kyle.smith@sidley.com)>; Border, Scott <[sborder@sidley.com](mailto:sborder@sidley.com)>; Sidley Apple v. MemoryWeb IPRs <[SidleyAppleMemoryWebIPRs@sidley.com](mailto:SidleyAppleMemoryWebIPRs@sidley.com)>  
**Subject:** RE: IPR2022-00031, -00032, -00033 and PGR2022-00006

Counsel,

A conference call has been scheduled for Tuesday, July 19<sup>th</sup> at 11:00 AM ET. Dial-in information is below:

888-452-0457	Passcode: 5796779#
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Thank you,

Megan Carlson  
Supervisory Paralegal Specialist  
Patent Trial and Appeal Board  
(571) 272-1650  
[Megan.Carlson@uspto.gov](mailto:Megan.Carlson@uspto.gov)

**From:** Hayes, Jennifer <[jenhayes@nixonpeabody.com](mailto:jenhayes@nixonpeabody.com)>

**Sent:** Friday, July 15, 2022 2:17 PM

**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>

**Cc:** Kushan, Jeffrey P. <[jkushan@sidley.com](mailto:jkushan@sidley.com)>; Smith, Kyle <[kyle.smith@sidley.com](mailto:kyle.smith@sidley.com)>; Border, Scott <[sborder@sidley.com](mailto:sborder@sidley.com)>; Sidley Apple v. MemoryWeb IPRs <[SidleyAppleMemoryWebIPRs@sidley.com](mailto:SidleyAppleMemoryWebIPRs@sidley.com)>

**Subject:** IPR2022-00031, -00032, -00033 and PGR2022-00006

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Dear Honorable Board:

The parties write to request a conference with the Board to discuss a change in the schedules of due dates 1-8 in IPR2022-00031, IPR2022-00032, IPR2022-00033 and PGR2022-00006. Specifically, the parties propose that due dates 1-8 in IPR2022-00031, IPR2022-00033 and PGR2022-00006 be changed to be aligned and on the same schedule. The current deadlines as well as the proposed revised due dates are summarized in the table below:

DESCRIPTION	ORIGINAL DUE DATES (FROM SCHEDULING ORDERS)			[PROPOSED] REVISED DUE DATES
	IPR2022-00031, IPR2022-00033	PGR2022-00006	IPR2022-00032	
DUE DATE 1	Aug. 12, 2022	Sept. 2, 2022	Oct. 3, 2022	Sept. 23, 2022
DUE DATE 2	Nov. 4, 2022	Nov. 25, 2022	Dec. 27, 2022	Dec. 5, 2022
DUE DATE 3	Dec. 16, 2022	Jan. 6, 2023	Feb. 7, 2023	Jan. 20, 2023
DUE DATE 4	Jan. 6, 2023	Jan. 27, 2023	Feb. 28, 2023	Jan. 27, 2023
DUE DATE 5	Jan. 27, 2023	Feb. 17, 2023	Mar. 21, 2023	Feb. 17, 2023
DUE DATE 6	Feb. 3, 2023	Feb. 24, 2023	Mar. 28, 2023	Feb. 24, 2023
DUE DATE 7	Feb. 10, 2023	Mar. 3, 2023	Apr. 4, 2023	Mar. 3, 2023
DUE DATE 8	Feb. 24, 2023	Mar. 14, 2023	Apr. 17, 2023	Mar. 14, 2023

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