

Diana Bradley

From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, October 17, 2023 1:56 PM
To: Hyun Jin In; Trials
Cc: Hayes, Jennifer; Girgis, Diana; Dandalides, George; Werber, Matthew; Schwartz, Daniel; IPR39843-0117IP1; PTAB Inbound; AXF-PTAB; Jeremy Monaldo; Christopher O. Green; Karl Renner
Subject: RE: IPR2022-00222

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Counsel,

The judge panel responds as follows:

Petitioner's request that we waive our requirement that its response to Patent Owner's Motion to Terminate was due October 13, 2023, is granted to the extent that we accept its filing at 12:01 am on October 14, 2023, as meeting our requirement in this proceeding. Petitioner should file a copy of this email as an exhibit in this proceeding.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Hyun Jin In <in@fr.com>
Sent: Tuesday, October 17, 2023 3:18 PM
To: Trials <Trials@USPTO.GOV>
Cc: Hayes, Jennifer <jenhayes@nixonpeabody.com>; Girgis, Diana <dgirgis@nixonpeabody.com>; Dandalides, George <gdandalides@nixonpeabody.com>; Werber, Matthew <mwerber@nixonpeabody.com>; Schwartz, Daniel <djschwartz@nixonpeabody.com>; IPR39843-0117IP1 <IPR39843-0117IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; AXF-PTAB <AXF-PTAB@fr.com>; Jeremy Monaldo <Monaldo@fr.com>; Christopher O. Green <cgreen@fr.com>; Karl Renner <renner@fr.com>
Subject: IPR2022-00222

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Your Honors,

In the Order of August 22, 2023 (Paper 44), the Board set a deadline of October 13, 2023, for Samsung to file a response to MemoryWeb's Motion to Terminate. Samsung completed its response on October 13, 2023, and began the process of uploading the response to the P-TACTS system at a time that would have typically allowed the response filing to be completed on October 13, 2023. Due to technical issues that arose during the upload process, the P-TACTS system did not provide a confirmation receipt until 12:01 am on October 14, 2023.

Pursuant to 37 C.F.R. § 42.5(c)(3), Petitioner requests the Board to excuse the late filing. Petitioner has conferred with Patent Owner's counsel and Patent Owner has agreed to "waive any objections related to the date of submission."

To the extent the Board would like to schedule a conference call to discuss, Petitioner's counsel will gather and send mutual availability of the parties. Petitioner's counsel apologizes for the late filing and any inconvenience caused by it.

Best Regards,
Hyun Jin In
Counsel for Petitioner

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