

From: Philip Wang <pwang@raklaw.com>  
Sent: Thursday, March 16, 2023 9:16 PM  
To: Trials <Trials@USPTO.GOV>  
Cc: ANF-PTAB <ANF-PTAB@fr.com>; Reza Mirzaie <rmirzaie@raklaw.com>; holt2@fr.com; Usman Khan <khan@fr.com>; RAK Vivato team <rak\_vivato@raklaw.com>  
Subject: Re: IPR2022-00367 - Regarding Oral Hearing

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Dear Honorable Board:

The parties have conferred as instructed by the Board in the scheduling order and Ms. Goldschlager's March 13th email and submit this joint response.

Patent Owner (XK) and Petitioners (HP, Apple) would like to notify the Board that the parties have made progress towards a settlement agreement although no written settlement is currently in place. In view of this recent development and because the scheduling order indicates that the parties cannot stipulate to extend the date of the oral hearing, Patent Owner requests the Board to grant a three (3) week extension for the oral hearing. Petitioners do not oppose this request. Good cause exists for this request because the additional time may allow a written settlement to be agreed upon and signed by the parties, thereby obviating the need for an oral hearing and saving the parties' and the Board's resources. If and when an oral hearing is conducted, the parties have agreed to conduct the oral hearing through videoconference.

If Your Honors would like to discuss this request over a conference call, the parties are available at the following times:

- Monday, March 20, 2023: 3-5 pm EST
- Tuesday, March 21, 2023: 2:30-5 pm EST

The parties also request the Board to provide instructions whether the parties should file a paper including this request and the parties' response to Ms. Goldschlager's email.

Respectfully submitted,

Philip Wang on behalf of Patent Owner, XR Communications  
Usman Khan on behalf of Petitioners, Apple and HP

On Mar 13, 2023, at 1:32 PM, Trials <Trials@USPTO.GOV> wrote:

Counsel,

From the Board –

In the Scheduling Order for this proceeding, we stated that the parties should meet and confer to decide if the Oral Hearing was to be conducted in-person or by videoconference. Paper 11, 6. Only Petitioner requested an in-person hearing. Paper 25, 2. The parties were also to meet and confer and decide if they want the hearing at the USPTO offices in Alexandria, Virginia or Dallas Texas, and notify the Board. Paper 11, 6. The parties have not done so. So, the parties shall meet and confer to decide 1) if the Oral Hearing will be conducted in-person or by videoconference, and 2) if in-person, whether they want the hearing conducted at the USPTO offices in Alexandria, Virginia or Dallas, Texas. The parties shall file a paper in this proceeding providing this information no later than **March 17, 2023**.

Regards,

Exhibit 3001