

**From:** [Trials](#)  
**To:** [Brett Cooper](#); [Trials](#)  
**Cc:** [Kappos, John](#); [Westin, Cameron W.](#); [Google-Scramoge-IPR](#); [rak\\_scramoge@raklaw.com](mailto:rak_scramoge@raklaw.com)  
**Subject:** RE: IPR2022-00478, -00643, and -00683: Request for Extension  
**Date:** Tuesday, July 12, 2022 8:34:41 AM

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Counsel,

Under the circumstances, the respective panels extend the date for the filing of a Patent Owner preliminary response to August 15, 2022. As a Patent Owner preliminary response is optional, there will be no further extension of this due date.

Thank you,

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

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**From:** Brett Cooper <[bcooper@raklaw.com](mailto:bcooper@raklaw.com)>  
**Sent:** Monday, July 11, 2022 10:47 AM  
**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>  
**Cc:** Kappos, John <[jkappos@omm.com](mailto:jkappos@omm.com)>; Westin, Cameron W. <[cwestin@omm.com](mailto:cwestin@omm.com)>; Google-Scramoge-IPR <[PH-Google-Scramoge-IPR@paulhastings.com](mailto:PH-Google-Scramoge-IPR@paulhastings.com)>; [rak\\_scramoge@raklaw.com](mailto:rak_scramoge@raklaw.com)  
**Subject:** Re: IPR2022-00478, -00643, and -00683: Request for Extension

**CAUTION:** This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Dear Honorable Board,

On June 6, 2022, Petitioner and Patent Owner filed a Joint Motion to Stay All Deadlines and Notice of Settlement in the parallel district court actions between the parties involving the challenged patents. That motion notified the Court that all matters in controversy between the parties have been settled, in principle, and requested that the Court stay all deadlines.

On June 29, 2022, the Board granted an extension for the Patent Owner Preliminary Response until July 15, 2022, in each IPR. The Board further stated that "[t]here will [be] no further extensions of this due date."

On June 30, 2022, the parties fully executed an agreement settling all matters in controversy between the parties. The parties provide this update to keep the Board informed of the procedural status of the settlement.

IPR2022-00683

In light of the fully executed agreement, Patent Owner respectfully requests an extension until August 15, 2022 for Patent Owner's Preliminary Responses to permit the parties time to perform their obligations set forth by the agreement and file motions to terminate the IPRs. The parties anticipate that motions to terminate the IPRs will be filed no later than August 15.

The additional extension is warranted now in light of the executed agreement which requires additional time before the parties will be ready to file the motions to terminate. Patent Owner seeks the extension not for purposes of delay, but in recognition of the Board's finite resources.

Petitioner has indicated that it does not oppose Patent Owner's request.

The parties can make themselves available for a conference call, should the Board find it helpful.

Respectfully submitted,

**Brett E. Cooper**  
Russ August & Kabat  
Office (310) 826-7474 x281  
Mobile (516) 359-9668  
Facsimile (310) 826-6991  
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On Jun 29, 2022, at 3:50 PM, Trials <[trials@uspto.gov](mailto:trials@uspto.gov)> wrote:

Counsel:

We have received requests to extend the due date for a Preliminary Response in each of the following cases, while the parties finalize a settlement agreement: IPR2022-00478, IPR2022-00643, IPR2022-00683. The due date for the Patent Owner Response is extended to July 15, 2022 in each case. There will no further extensions of this due date.

Thank you,

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

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**From:** Brett Cooper <[bcooper@raklaw.com](mailto:bcooper@raklaw.com)>

**Sent:** Wednesday, June 29, 2022 1:31 PM

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

**Cc:** Kappos, John <[jkappos@omm.com](mailto:jkappos@omm.com)>; Westin, Cameron W. <[cwestin@omm.com](mailto:cwestin@omm.com)>;

Google-Scramoge-IPR <[PH-Google-Scramoge-IPR@paulhastings.com](mailto:PH-Google-Scramoge-IPR@paulhastings.com)>; [rak\\_scramoge@raklaw.com](mailto:rak_scramoge@raklaw.com)

**Subject:** Re: IPR2022-00643: Request for Extension

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Dear Honorable Board,

The Board previously granted an extension until July 1 for Patent Owner's Preliminary Response in the above-referenced IPR. Because the parties are still working to finalize the settlement agreement, the parties jointly request an additional 14-day extension until July 15 for Patent Owner's Preliminary Response. The parties anticipate that motions to terminate the IPR will be filed in due course. The parties can make themselves available for a conference call, should the Board find it helpful.

Respectfully submitted,  
Brett E. Cooper  
Counsel for Patent Owner

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On Jun 9, 2022, at 5:54 PM, Brett Cooper <[bcooper@raklaw.com](mailto:bcooper@raklaw.com)> wrote:

Dear Honorable Board,

On June 6, Petitioner and Patent Owner filed a Joint Motion to Stay All Deadlines and Notice of Settlement in the parallel district court actions between the parties involving the challenged patents. That motion notified the Court that all matters in controversy between the parties have been settled, in principle, and requested that the Court stay all deadlines.

In accordance with that joint motion to stay, the parties jointly request that the Board grant an extension until July 1, 2022, for Patent Owner's Preliminary Response in IPR2022-00643 (US Patent 10,193,392).

The parties anticipate that motions to terminate the IPRs will be filed in due course. The parties can make themselves available for a conference call, should the Board find it helpful.

Respectfully submitted,  
Brett E. Cooper  
Counsel for Patent Owner

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