

From: Mudd, Jason (SHB) <jmudd@shb.com>
Sent: Tuesday, July 25, 2023 2:58 PM
To: Underwood, Cathy <Cathy.Underwood@USPTO.GOV>
Cc: Schafer, Mark D. (SHB) <MSCHAFER@shb.com>; Friesen, Kyle E. (SHB) <KFRIESEN@shb.com>
Subject: RE: Petition - IPR2023-01188

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Hello Ms. Underwood:

Thank you for your e-mail. We confirm that Exhibits 1008 and 1009 were inadvertently filed and can be expunged. We hope that this resolves the issue and that a Notice of Filing with defects will be unnecessary. Please let us know if you have any further questions, and thank you for your assistance.

Best regards,

Jason R. Mudd
Senior Counsel
Shook, Hardy & Bacon L.L.P.

816-559-2437 | jmudd@shb.com



From: Underwood, Cathy <Cathy.Underwood@USPTO.GOV>
Sent: Tuesday, July 25, 2023 1:01 PM
To: Mudd, Jason (SHB) <jmudd@shb.com>
Cc: Schafer, Mark D. (SHB) <mschafer@shb.com>; Friesen, Kyle E. (SHB) <kfriesen@shb.com>
Subject: Petition - IPR2023-01188

EXTERNAL

Hello Mr. Mudd

I am emailing concerning the petition mentioned above. In reviewing the petition I noticed a possible defect. The exhibit list has exhibits 1008 and 1009 labeled as reserved. The actual exhibits uploaded are labeled as Motion Metrics Report and United States District Court. The exhibit list and the exhibit themselves must match. The petition must maintain an exhibit list with the exhibit number and a brief description of each exhibit. I wanted to bring this to you attention and verify this

before issuing a Notice of Filing with defects. Please respond via email at your earliest convenience.

Thank you,

Cathy Underwood

Trial Paralegal

Patent Trial and Appeal Board

U.S. Patent & Trademark Office

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