

Briggs, Heath (Shld-Den-IP-Tech)

From: Briggs, Heath (Shld-Den-IP-Tech)
Sent: Thursday, April 9, 2020 4:06 PM
To: 'jpmurphy@polsinelli.com'; 'msavee@polsinelli.com'
Cc: Ullmer, Stephen M. (Shld-DEN-IP-Tech); Schindler, Barry (Shld-NJ-IP-Tech); crye-ipsr; Briggs, Heath (Shld-Den-IP-Tech)
Subject: Rehearing Requests: IPRs2019-01152, -01153 - Crye v. Firstspear
Attachments: FW: IPR2019-01152, -01153: Motions for Reconsideration

Counsel:

As you may recall, we filed and served requests for rehearing in IPR Nos. 2019-01152 and -01153. We have attached the service email that was sent shortly after filing. Prior to contacting the board to inquire about the status of these requests, we checked the docket earlier today and discovered that a technical glitch appears to have occurred, and these requests for rehearing do not appear in their respective dockets. We intend to email the board inquiring about the status of our requests for rehearing, including requesting that the Board update the online dockets to reflect our filings or, in the alternative, allow Petitioner to briefly explain why good cause exists to allow us to re-file our requests for rehearing. Specifically, Petitioner intends to send the following email to the Board:

Dear Honorable Board:

Petitioner just became aware (on April 9, 2020) that its requests for rehearing in IPR Nos. 2019-01152 and -01153 do not appear in the respective dockets for these cases. Petitioner filed these requests between 7:04pm on December 20, 2019, when staff for lead counsel first accessed the PTAB E2E filing system, and 7:12pm ET the same day, when Petitioner served Patent Owner with the filed documents (service email attached). It appears that a technical glitch has occurred, such that the filings were not fully processed by the E2E filing system or were subsequently expunged for reasons unknown. Petitioner requests that the Board update the online dockets to reflect Petitioner's filing of requests for rehearing in IPR Nos. 2019-01152 and -01153 and/or to allow Petitioner to re-file the attached requests for rehearing in the above-identified proceedings, and requests permission to file a motion to establish good cause for filing such requests after the prescribed time for doing so.

Sincerely,

Heath Briggs, Counsel for Petitioner

Please let us know if Patent Owner opposes this request, so that we may indicate as much in our email request to the Board. Please also let us know your availability for a call with the Board, should one be required.

Regards,

Heath Briggs
Patent Attorney

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