

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GEOTAB INC. and GEOTAB USA, INC.,
Petitioner,

v.

FRACTUS, S.A.,
Patent Owner.

IPR2025-01026 (Patent 11,031,677 B2)
IPR2025-01027 (Patent 11,349,200 B2)¹

Before KEVIN C. TROCK, STEVEN M. AMUNDSON, and
RUSSELL E. CASS, *Administrative Patent Judges*.

AMUNDSON, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motion to Accept Late Submission
35 C.F.R. § 42.5(c)(3)

¹ The combined caption is for administrative convenience only and does not indicate joinder of cases. The parties are not authorized to use this caption without express permission from the Board.

BACKGROUND

In IPR2025-01026, Geotab Inc. and Geotab USA, Inc. (collectively “Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–20 in U.S. Patent No. 11,031,677 B2 on June 6, 2025. Fractus, S.A. (“Patent Owner”) filed a Preliminary Response on October 1, 2025.

In IPR2025-01027, Petitioner filed a Petition requesting an *inter partes* review of claims 1–20 in U.S. Patent No. 11,349,200 B2 on June 6, 2025. Patent Owner filed a Preliminary Response on October 1, 2025.

In each proceeding, the Board on October 20, 2025, authorized (1) Petitioner to file a Preliminary Reply no later than October 23, 2025, and (2) Patent Owner to file a Preliminary Sur-reply no later than October 28, 2025. Ex. 3001.²

In each proceeding, Petitioner on October 24, 2025, filed a Preliminary Reply along with a Motion to Accept Late Submission. *See* Paper 15; Paper 16 (“Mot.”).

DISCUSSION

In the Motion, Petitioner explains that:

- (1) on “the afternoon of October 23, 2025, at approximately 4:15PM EDT,” Petitioner’s counsel attempted to upload the “Reply to Patent Owner’s Preliminary Response to the P-TACTS filing system but received an error notification”;
- (2) Petitioner “continued to attempt to upload to the P-TACTS filing system until approximately 5:45PM EDT and continued encountering the same upload error notifications”;

² For expediency, we cite to papers and exhibits filed in IPR2025-01026. Similar papers and exhibits were filed in IPR2025-01027.

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- (3) Petitioner “then proceeded in accordance with the alternative filing procedure set forth in A6 of the P-TACTS FAQ”;
- (4) Petitioner “timely served opposing counsel via email,” and the email attached a copy of the Reply to Patent Owner’s Preliminary Response;
- (5) Petitioner “subsequently notified the Board of the service by email”; and
- (6) Petitioner “attempted to file the Reply to Patent Owner’s Preliminary Response using P-TACTS again at 9:29PM EDT and received the same upload error notifications.”

Mot. 2.

Petitioner contends that given the unavailability of P-TACTS on October 23, 2025, for the filing of the Reply to Patent Owner’s Preliminary Response, the timely service of that paper on Patent Owner’s counsel, and the lack of prejudice to Patent Owner if the Board accepts the late submission of that paper, good cause exists to grant the Motion. Mot. 2–3.

In the Motion, Petitioner did not state whether Patent Owner would oppose the Motion. *See* Mot. 1–3. Patent Owner has not opposed the Motion.

For the reasons stated by Petitioner, we agree that good cause exists for accepting the late submission of the Reply to Patent Owner’s Preliminary Response.

ORDER

Accordingly, it is

ORDERED that Petitioner’s Motion to Accept Late Submission is granted.

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