

From: [Liquori, Steve](#)
To: [Director Review Suggestions](#)
Cc: [gianni.minutoli@dlapiper.com](#); [matthew.middleton@us.dlapiper.com](#); [steven.kellner@dlapiper.com](#); [Williams, Eliot D.](#); [Guy, Hop](#); [Lynn, Jamie](#); [Martin, Tommy](#); [Wilson, Andrew](#)
Subject: RE: IPR2023-00268 - Petitioner's Request for Director Review
Date: Tuesday, September 12, 2023 9:16:28 AM
Attachments: [2023.09.11 Request for Director Review \(IPR2023-00268\).pdf](#)

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Director Vidal:

A PDF copy of the filed request was inadvertently omitted from last night's email. It is attached hereto.

Respectfully,
Steve Liquori

From: Liquori, Steve
Sent: Monday, September 11, 2023 10:05 PM
To: [Director_Review_Suggestions@uspto.gov](#)
Cc: [gianni.minutoli@dlapiper.com](#); [matthew.middleton@us.dlapiper.com](#); [steven.kellner@dlapiper.com](#); [Williams, Eliot D. <Eliot.Williams@BakerBotts.com>](#); [Guy, Hop <hop.guy@BakerBotts.com>](#); [Lynn, Jamie <Jamie.Lynn@BakerBotts.com>](#); [Martin, Tommy <tommy.martin@bakerbotts.com>](#); [Wilson, Andrew <andrew.wilson@BakerBotts.com>](#)
Subject: IPR2023-00268 - Petitioner's Request for Director Review

Dear Director Vidal,

Petitioner in the above-captioned IPR respectfully requests Director Review of the Board's split decision not to institute review. Petitioner hereby provides the following priority-ranked list of the issues for which Petitioner seeks Director Review:

Abuse of Discretion

1. Whether the Majority abused its discretion when it improperly imported claim limitations to overcome the prior art.
2. Whether the Majority abused its discretion when, to avoid grappling with the import of a dependent claim, it construed the claims as being limited to "live" wagering games, when doing so would render dependent claim 3 (which was also challenged) broader than its parent claim or, in the alternative, would read out as superfluous the express recitation of "live" in dependent claim 3.
3. Whether the Majority abused its discretion when it found that the prior art required "waiting" or "pausing" for a user's input, when the prior art discloses no such "waiting" or "pausing" and expressly disclosed that the "typical" operation would not wait or pause at all.

Regards,

IPR2023-00268
Ex. 3100

Steve Liquori

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