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Subject: IPR2023-00529 and IPR2023-00531- Director Review Requests
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Director Vidal,

Patent Owner, Lemko Corp., respectfully requests Director Review of the Board's Institution Decisions in IPR2023-00529 and IPR2023-00531. The concurrently filed requests raise the following issues for the Director's review:

- 1) The first issue raised in the Requests for Rehearing concerns important issues of law and policy concerning petitioners' obligation to construe claim terms in the petition when a dispute over claim scope is foreseeable, such as when it is necessary to meet its burdens under 37 CFR 42.22 and 42.104(b)(3)-(4) to explain with specificity how a claim is unpatentable as properly construed.
- 2) The second issue raised in the Requests for Rehearing concerns the Board's erroneous conclusion of law with respect to its refusal to resolve a dispositive claim construction dispute in its Institution Decision, as required in the Consolidated Trial Practice Guide and consistent Federal Circuit precedent.

Best regards,
Jeff Price (Reg. No. 69,141)
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IPR2023-00531
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