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To: [Director PTABDecision Review](#)
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Subject: IPR2023-00565 - Request for Director Review
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Dear Director Vidal,

Patent Owner, Cleveland Medical Devices, Inc., respectfully requests rehearing of the Board's Institution Decision in IPR2023-00565. Patent Owner's Request raises the following two related issues concerning the Board's decision to accept a case narrowing stipulation after the Director's Order Vacating the Institution Decision in this case:

1. Whether the Board abused its discretion when it admittedly exceeded the scope of the Director's Remand Order.
2. Whether the Board's Institution Decision violates the Director's opinion in *NXP USA, Inc. v. Impinj, Inc.*, IPR2021-01556, Paper 13 (P.T.A.B. Sept. 7, 2022) (precedential), which prohibits consideration of a case-narrowing stipulation filed "for the first time on remand."

Best regards,
Jeffrey Price (Reg. No. 69,141)
Counsel for Patent Owner, Cleveland Medical Devices, Inc.

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