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To: [Director_PTABDecision_Review](#)
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Subject: IPR2023-00625: Rehearing Request Filed - Orthocision, Inc. v. PTL OPCO LLC
Date: Friday, October 18, 2024 9:00:17 PM
Attachments: [20241018_Request_Director_Review_4filing.pdf](#)

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To the Director of the USPTO

Petitioner, Orthocision Inc., respectfully requests rehearing under 37 C.F.R. § 42.71(d)(2) of certain findings in the Board's Final Written Decision issued on September 18, 2024 (the "Decision"), in IPR2023-00625. Specifically, Petitioner requests that the Director review the attached Petitioner's Request for Director Review, filed today, October 18, 2024, in accordance with the Board's interim Director review guidance and in line with *United States v. Arthrex, Inc.*, 141 S. Ct. 1970 (2021).

Counsel for Patent Owner are copied on this email, and a courtesy copy has also been sent to Director_PTABDecision_Review@uspto.gov.

Statement of Counsel:

The Decision includes certain erroneous findings, as follows:

1. The Board erred in finding that Grounds 2-5 failed to establish that U.S. Patent No. 11020129 was obvious based solely on its interpretation of the Martz reference (Ex. 1008) without further consideration or analysis.
2. The Board applied an overly narrow interpretation of Martz, contrary to the flexible and expansive approach mandated by *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398 (2006).

To correct these errors and ensure consistent treatment of patents under inter partes review, Petitioner respectfully requests Director review the Board's decision and requests that the Director vacate the Decision and grant a rehearing.

Best regards,

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