

Filed on behalf of: Cellco Partnership d/b/a Verizon Wireless

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS
Petitioner

v.

GENERAL ACCESS SOLUTIONS, LTD.
Patent Owner

IPR2023-01147
U.S. Patent No. 9,426,794

**PETITIONER'S REPLY TO PATENT
OWNER PRELIMINARY RESPONSE¹**

¹ Authorized by the Board's email dated December 1, 2023.

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Cases

<i>Apple, Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020)	1
<i>Sotera Wireless, Inc., v. Masimo Corp.</i> , IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020)	1

I. PATENT OWNER’S FINTIV ARGUMENT IS MOOT

In the Patent Owner Preliminary Response (“POPR”) dated October 31, 2023, Patent Owner argues that the Board should deny institution under *Apple, Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020) (precedential). See POPR, 45-47.

With this Reply, Verizon submits, as Ex. 1016, a stipulation under *Sotera Wireless, Inc., v. Masimo Corp.*, IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020) (precedential). According to the Director, “the PTAB will not discretionarily deny institution ... where a petitioner presents a stipulation not to pursue in a parallel proceeding the same grounds or any grounds that could have reasonably been raised before the PTAB.” *Memorandum for the Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation*, at 3 (Jun. 21, 2022); see also *id.* at 7. Accordingly, the accompanying *Sotera* stipulation renders moot the *Finitiv* argument presented by Patent Owner.

II. CONCLUSION

Patent Owner presented no other discretionary denial argument in the POPR. Thus, institution should be decided on the merits and granted for the reasons set forth in the Petition.

DATED: December 8, 2023

Respectfully submitted,

/Justin J. Oliver/

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petitioner's Reply to Patent Owner Preliminary Response was served on this date via email to the following addresses:

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DATED: December 8, 2023

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