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**Subject:** IPR2023-01342: Petitioner's Request for Director Review - Mara Renewables Corporation v. DSM IP Assets, B.V.  
**Date:** Monday, March 25, 2024 8:44:40 PM  
**Attachments:** [IPR2023-01342 Request for Director Review.pdf](#)

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Honorable Director,

Mara Renewables Corp., the Petitioner in IPR2023-01342, respectfully recommends and requests Director Review of the Institution Decision issued by the Board in that proceeding. Concurrently herewith, Petitioner has filed the attached Petitioner's Request for Director Review.

Pursuant to the Revised Interim Director Review guidance, Petitioner presents the following two issues within the Request in the order of priority ranking. Each issue implicates an important issue of law and policy leading to erroneous conclusions rendered in the Institution Decision:

1. The Board misapprehended fundamental anticipation law by applying a higher standard than the Federal Circuit requires in requiring a single individual example or embodiment meet every element of the claim, rather than considering the entirety of the reference, thus reaching an erroneous conclusion of law.
2. The Board similarly erroneously applied a higher standard in its obviousness analysis by again requiring a single individual example or embodiment meet every element of the claim, rather than considering the entirety of the two references or the combination of the two references.

The analysis of the Board therefore presents legal error that impacts the credibility of the PTAB.

Respectfully,

**Grace Kim :: Principal :: Fish & Richardson P.C.**  
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