

From: [Director_PTABDecision_Review](#)
To: ["Sheila Swaroop"](#); dalberty@krameralberti.com; rtonkovich@krameralberti.com; abrewster@krameralberti.com; [Jason Fitzsimmons](#); [Richard M. Bemben](#); [Michael Specht](#); [PTAB Account](#); krameralberti-polaris-vizio@krameralberti.com; [2sns](#); [2mrz](#); [2Dck](#); [VIZIO-148IPR](#); [Jennifer Chagnon](#)
Subject: RE: IPR2024-00073 ("148 Patent") // Request for authorization to file evidence in support of Director review request
Date: Thursday, April 3, 2025 4:28:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Counsel,

Patent Owner's request for authorization to file additional evidence cited in its Request for Director Review is denied. The Director will determine whether review will be granted or denied and the parties will be notified of the result of the Director Review request.

Thank you.

From: Sheila Swaroop <Sheila.Swaroop@knobbe.com>
Sent: Friday, March 28, 2025 11:54 AM
To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>
Cc: dalberty@krameralberti.com; rtonkovich@krameralberti.com; abrewster@krameralberti.com; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Michael Specht <MSPECHT@sternekessler.com>; PTAB Account <PTAB@sternekessler.com>; krameralberti-polaris-vizio@krameralberti.com; 2sns <2sns@knobbe.com>; 2mrz <2mrz@knobbe.com>; 2Dck <2Dck@knobbe.com>; VIZIO-148IPR <VIZIO-148IPR@knobbe.com>; Jennifer Chagnon <JChagnon@sternekessler.com>
Subject: RE: IPR2024-00073 ('148 Patent) // Request for authorization to file evidence in support of Director review request

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Dear Honorable Acting Director,

Petitioner VIZIO, Inc. opposes Patent Owner's request for authorization to submit all or part of EX2010.

First, Patent Owner's email incorrectly states that proposed EX2010 is a full copy of EX2008. That is a typographical error. EX2010 is a dictionary, and it includes additional portions beyond the excerpts Patent Owner filed with its Patent Owner Response as **EX2006**. Patent Owner served, but did not file, EX2010 as supplemental evidence under 37 C.F.R. § 42.64 in response to Petitioner's initial objections to EX2006. Patent Owner did not file EX2010 because Petitioner did not further pursue its objections to EX2006 and did not move to exclude that exhibit. As a result, the supplemental evidence was not required.

Second, Patent Owner cannot justify the submission of new evidence or arguments at this stage of the proceeding. During the IPR, Patent Owner cited EX2006 only for definitions of "current regulator" and "regulator." Patent Owner Response at 18. In its Request for Director

IPR2024-00073
Ex. 3101

Review, Patent Owner now seeks to rely on proposed EX2010 for dictionary definitions of terms "AND gate" and "multiplexer" to raise new evidence and arguments that were not presented to the Board. Request for Director Review at 13 n.4. Patent Owner has not identified any "issues of first impression or issues involving intervening changes in the law or USPTO procedures, guidance, or decisions," or any other basis to justify the submission of new evidence or arguments. *See Director Review process* § 3.E, available at <https://www.uspto.gov/patents/ptab/decisions/director-review-process>; 37 C.F.R. § 42.75(c) (3).

For these reasons, Petitioner respectfully requests that the Director deny Patent Owner's request for authorization.

Sincerely,
Sheila

Sheila Swaroop

Partner

Sheila.Swaroop@knobbe.com

949-721-7646 Direct

Knobbe Martens

2040 Main St., 14th Fl.

Irvine, CA 92614

www.knobbe.com/sheila-swaroop

From: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>

Sent: Thursday, March 27, 2025 10:04 AM

To: Jennifer Chagnon <JChagnon@sternekessler.com>; Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>

Cc: dalberti@krameralberti.com; rtonkovich@krameralberti.com; abrewster@krameralberti.com; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Michael Specht <MSPECHT@sternekessler.com>; PTAB Account <PTAB@sternekessler.com>; krameralberti-polaris-vizio@krameralberti.com; 2sns <2sns@knobbe.com>; 2mrz <2mrz@knobbe.com>; 2Dck <2Dck@knobbe.com>; VIZIO-148IPR <VIZIO-148IPR@knobbe.com>

Subject: RE: IPR2024-00073 ('148 Patent) // Request for authorization to file evidence in support of Director review request

Counsel,

Petitioner may respond with its position as to Patent Owner's request via email by Friday, March 28th. Patent Owner is not authorized to make any filing at this time.

From: Jennifer Chagnon <JChagnon@sternekessler.com>

Sent: Thursday, March 27, 2025 12:05 PM

To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>

Cc: dalberti@krameralberti.com; rtonkovich@krameralberti.com; abrewster@krameralberti.com; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Jennifer Chagnon <JChagnon@sternekessler.com>; Michael

Specht <MSPECHT@sternekessler.com>; PTAB Account <PTAB@sternekessler.com>; krameralberti-polaris-vizio@krameralberti.com; 2sns@kmob.com; 2mrz@knobbe.com; 2dck@knobbe.com; VIZIO-148IPR@knobbe.com

Subject: IPR2024-00073 ('148 Patent) // Request for authorization to file evidence in support of Director review request

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IPR2024-00073 // U.S. Patent No. 7,843,148

Honorable Acting Director,

Patent Owner today has filed a Request for Director Review in IPR2024-00073. In the Request, Patent Owner cites to two pages of EX2010 ("Comprehensive Dictionary of Electrical Engineering," Taylor & Francis Group, LLC, 2nd Edition (2005)). See Request at page 13, FN.4. EX2010 was previously served on Petitioner and is a full copy of EX2008, which is of record in this proceeding. These two pages were cited for definitions of well-known electrical circuit components, which appear to have been misapprehended by the panel in the Final Written Decision.

Patent Owner requests authorization to file this previously served exhibit, or in the alternative to file the two specific pages cited in the Request for Director Review.

Regards,
Jennifer Chagnon
Counsel for Patent Owner



Jennifer Meyer Chagnon
Director
Sterne, Kessler, Goldstein & Fox P.L.L.C.
1101 K Street NW, 10th Floor, Washington, DC 20005

Email: jchagnon@sternekessler.com
Direct: 202.772.8890 **Main:** 202.371.2600

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