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To: [Director PTABDecision Review](#)
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Subject: IPR2024-00497: Document(s) Filed - CISCO SYSTEMS, INC. v. UMBRA TECHNOLOGIES LTD.; Request for Director Review - Institution Decision
Date: Thursday, September 19, 2024 7:09:26 PM
Attachments: [image001.png](#)
[2024-09-19 13 PO Request for Director Review in IPR2024-00497 \(U.S. Pat. No. 10630505\).pdf](#)

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Dear Director Vidal,

Patent Owner in IPR2024-00497 respectfully requests Director Review of the Board Panel's decision to institute review.

In the decision, the Panel concluded that Petitioner had shown a reasonable likelihood that claims 1, 2, 4–12, and 14–20 of U.S. Patent No. 10,630,505 (the '505 patent) would have been obvious in view of certain references identified as “Hankins alone or the combination of Hankins and Munger.” (Dec. at 29.)

Patent Owner hereby provides the following issue for which Patent Owner seeks Director Review:

1. The Panel adopts a plainly erroneous claim construction for an “*end-to-end tunnel*” that contradicts the intrinsic record and cited references. The Panel's error primarily revolves around its misconstruction of the word “*tunnel*”. The Panel's construction also ignores clarification given in the prosecution history, wherein an “*end-to-end tunnel*” was successfully relied upon by Applicant to distinguish over art that failed to disclose an “*encapsulation of communications*” between endpoint devices.

The Panel gave the construction despite the fact that Petitioner and Patent Owner both agreed that no terms required construction and despite Petitioner's request that each claim term be given its plain and ordinary meaning. Without the erroneous construction, the prior art of record fails to teach this required element, which appears in all claims of the '505 patent. Therefore, it is appropriate to vacate the decision, deny institution of trial, and terminate the proceeding.

For the reasons above, and further discussed in Patent Owner's Request for Director Review, Patent Owner respectfully requests that the Director review the decision and correct the errors therein.

Respectfully,
James M. Lennon
Backup Counsel for Patent Owner, UMBRA Technologies Ltd.

IPR2024-00497
Ex. 3100

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