

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NINTENDO CO., LTD. AND NINTENDO
OF AMERICA INC.,
Petitioners,

v.

AMERICAN GNC CORPORATION,
Patent Owner.

Case IPR2024-00668
Patent No. 6,671,648 B2

**AUTHORIZED RESPONSE TO DIRECTOR REVIEW REQUEST OF
FINAL WRITTEN DECISION**

TABLE OF CONTENTS

	Page
I. Introduction.....	1
II. The Board Correctly Found PO’s Secondary Considerations Evidence And Arguments “Very Weak”	1
A. The Board Correctly Found That PO’s Belated Nexus Presumption Theory Could Not Satisfy Federal Circuit Precedent	2
B. Not Only Did PO Fail To Show The Requisite Nexus, The Board Found PO’s Secondary Consideration Evidence “Very Weak”	3
C. PO’s Cited Cases Are Easily Distinguishable.....	4
III. The Board Applied Correct Claim Constructions	6
IV. The Board Correctly Found Claim 1 Unpatentable Based On Multiple Independent Grounds.....	8
V. The Board Correctly Found Claim 4 Unpatentable Based On Multiple Independent Grounds.....	9
VI. The Board Correctly Found PO’s Real-Party-In-Interest Argument Unsupported – There Was Nothing “Beyond Speculation”	11
VII. PO’s Evidence Was So “Weak” It Could Not Have Had Settled Expectations, Especially Since Any Such Expectations Are Not A Basis For Director Review	13
VIII. Conclusion	15

TABLE OF AUTHORITIES

Page(s)

Cases

<i>Apple v. Ferid Allani</i> , IPR2025-00856, Paper 11 (Director Sept. 5, 2025)	14
<i>Campbell Soup Co. v. Gamon Plus</i> , 10 F.4th 1268 (Fed. Cir. 2021)	2
<i>Fox Factory v. SRAM</i> , 944 F.3d 1366 (Fed. Cir. 2019)	2, 3
<i>Google v. Sandpiper CDN</i> , IPR2025-00806, Paper 13 (P.T.A.B. Sept. 12, 2025).....	14
<i>PLR Worldwide Sales v. Flip Phone Games</i> , No. IPR2024-00133, 2024 WL 3934712 (P.T.A.B. Aug. 22, 2024).....	15
<i>Polaris Indus. v. Arctic Cat</i> , 882 F.3d 1056 (Fed. Cir. 2018)	5
<i>PPC Broadband v. Corning Optical Commc'ns RF</i> , 815 F.3d 734 (Fed. Cir. 2016)	4
<i>PPC Broadband v. Iancu</i> , 739 F. App'x 615 (Fed. Cir. 2018)	5
<i>Prometheus Lab'ys v. Roxane Lab'ys</i> , 805 F.3d 1092 (Fed. Cir. 2015)	4
<i>Tate Access Floors v. Interface Architectural Res.</i> , 279 F.3d 1357 (Fed. Cir. 2002)	7
<i>In re Van Geuns</i> , 988 F.2d 1181 (Fed. Cir. 1993)	7
<i>ZUP v. Nash Mfg.</i> , 896 F.3d 1365 (Fed. Cir. 2018)	4

Statutes

35 U.S.C. § 315(b)	11, 13
--------------------------	--------

Other Authorities

Federal Rules of Civil Procedure Rule 4	12
https://www.uspto.gov/patents/ptab/decisions/director-review-process	14

I. INTRODUCTION

In its detailed 74-page Final Written Decision finding both challenged claims (*i.e.*, claims 1 and 4) unpatentable as obvious based on *multiple* grounds, the Board called PO evidence and arguments “**very weak**” nearly *20 times*. Following full briefing and an in-person hearing, the Final Written Decision stated: “we determine that a lack of nexus and very weak evidence of each of commercial success, failure of others, licensing, industry praise, and copying does not outweigh our determination that [each of the two separate independent grounds] teach or suggest every limitation” of the challenged claims. (*E.g.*, FWD, pp.55, 67, 74.)

PO does not identify any errors in law or fact in its review request. PO simply disagrees with the results. But that is not a proper basis for Director Review of the Board’s detailed analysis. There is no justification for upsetting the resources the Board already invested in analyzing the claims and expending even more PTAB resources on review of a thorough Final Written Decision where even PO acknowledges that the Board spent “more than six pages discounting [PO’s] rebuttal evidence.” (Request, p.4.) The Request for Review should be denied.

II. THE BOARD CORRECTLY FOUND PO’S SECONDARY CONSIDERATIONS EVIDENCE AND ARGUMENTS “VERY WEAK”

The Board rejected PO’s arguments about secondary considerations on multiple separate and independent grounds, including (1) that PO “forfeited” any

secondary considerations nexus argument by “improperly rais[ing] nexus for the first time in its Sur-reply,” (2) even if PO’s arguments were properly raised, PO failed to show a requisite nexus, and (3) even if PO had made a sufficient showing of nexus (which it had not), it would not outweigh the evidence supporting obviousness because the purported secondary considerations evidence was of “little probative value” and “very weak.” (FWD, pp.48, 46, 50, 55, 67.) PO has offered no basis to disturb the Board’s well-reasoned conclusions.

A. THE BOARD CORRECTLY FOUND THAT PO’S BELATED NEXUS PRESUMPTION THEORY COULD NOT SATISFY FEDERAL CIRCUIT PRECEDENT

PO’s request seeks to relitigate the same presumption of nexus argument the Board rejected. (Request, p.12; FWD, pp.48-50.) The Federal Circuit has stated: “[a] patent claim is not coextensive with a product that includes a ‘critical’ unclaimed feature that is claimed by a different patent and that materially impacts the product’s functionality.” *Fox Factory v. SRAM*, 944 F.3d 1366, 1375 (Fed. Cir. 2019). In such circumstances, there is no presumption of nexus. *Id.*

A fundamental problem with PO’s nexus theory was that PO itself argued that multiple claims across different patents (*e.g.*, claims of U.S. Patent No. 6,508,122) are “all embodied in the coremicro IMU,” and emphasized features the Board found were not claimed in the ’648 patent. (FWD, p.49 (emphasis added); EX2007, p.7 (listing multiple patents); *Campbell Soup Co. v. Gamon Plus*, 10 F.4th 1268, 1277

(Fed. Cir. 2021) (finding no presumption of nexus because the unclaimed features were “significant”); *Fox*, 944 F.3d at 1375 (cannot be coextensive if product has “critical” unclaimed features).) During oral argument, in fact, PO admitted that the only evidence it had on this issue was a declaration of one of the named inventors (Hiram McCall). (Paper 49, Hr’g Tr., 33:23-25.) That declaration was insufficient to demonstrate any presumption of nexus because it emphasized features not reflected in the claims of the ’648 patent. (FWD, pp.48-50; EX2023, ¶20 (both ’122 and ’648 patents); EX2023, ¶10 (“critical” features); EX1048, McCall 16:15-25 (twenty patents).) The Board thus correctly determined that PO’s evidence failed to show an entitlement to a presumption of nexus. (FWD, p.48.)

B. NOT ONLY DID PO FAIL TO SHOW THE REQUISITE NEXUS, THE BOARD FOUND PO’S SECONDARY CONSIDERATION EVIDENCE “VERY WEAK”

Although not required to do so given the untimeliness of PO’s arguments about nexus, the Board nevertheless thoroughly evaluated PO’s arguments and evidence and found them “very weak.” (*E.g.*, FWD, pp.50-55, 64-67.) For example, the Board found PO’s alleged “commercial success” allegations to be unsubstantiated, as PO did not provide any sales data or even explain what “commercially successful meant.” (*Id.*, p.51.) The Board also rejected PO’s arguments about the alleged failure of others because there was no evidence that the alleged “failures” had any connection to the claimed ’648 inventions. (*Id.*, p.52.)

Attorney arguments about licensing were rejected, because no actual licenses were identified or submitted as evidence. (*Id.*, pp.52-53.) Finally, claims of industry acceptance and copying were also found to be “very weak.” (*Id.*, pp.53-54.)

PO provides no valid basis for revisiting any of these findings. (Request, p.14.) PO’s only complaint is that its secondary considerations evidence was supposedly “unrebutted.” (*Id.*) But nothing PO submitted came remotely close to satisfying PO’s burden of production. *E.g.*, *Prometheus Lab’ys v. Roxane Lab’ys*, 805 F.3d 1092, 1102 (Fed. Cir. 2015) (finding burden of production not satisfied even where PO submitted detailed sales information); *ZUP v. Nash Mfg.*, 896 F.3d 1365, 1373 (Fed. Cir. 2018) (patentee burden not met even where it submitted evidence of long-felt need and copying). The Board spent pages-and-pages analyzing PO’s evidence only to find it “very weak” and of “little probative value.” (FWD, pp.45-55, 66-67.) The Board’s decision should not be disturbed.

C. PO’S CITED CASES ARE EASILY DISTINGUISHABLE

None of PO’s cited cases support review. For example, *PPC Broadband v. Corning Optical Commc’ns RF*, 815 F.3d 734 (Fed. Cir. 2016), is inapposite, because the PO there “presented multiple declarations” proving that its “SignalTight connectors met all of the elements,” Petitioner did not challenge those arguments, and the Board provided “no [] explanation” for its decision. *Id.* at 747-48.

By contrast, here, the Board provided detailed analysis and cited

Federal Circuit authority explaining why PO's argument failed. (FWD, pp.46-50.)

Based on studying the exhibits and evidence, the Board correctly concluded that no identified secondary consideration rendered the claims non-obvious. (*Id.*, p.54.)

Likewise, in *Polaris Indus. v. Arctic Cat*, 882 F.3d 1056, 1073 (Fed. Cir. 2018), the PO submitted a detailed declaration mapping the challenged patent claims to the "RZR vehicles [that] embody and are coextensive with [the] claims." The Federal Circuit thus vacated the decision and remanded to the Board to "assess the import of this evidence." *Id.* at 1073.

In stark contrast, here, the PO never submitted any declaration or other evidence mapping the claims of the '648 patent to the coremicro IMU. PO's only evidence was an inventor who generically testified that "there's a total of 20 patents" and "several patents" relate to the coremicro IMU. (EX1048, McCall 16:15-25.) PO then rested on an attorney-argument table in its Sur-Reply, which the Board correctly found conflated written description disclosures with secondary considerations nexus evidence. (FWD, p.48; *see also* Paper 49, Hr'g Tr., 33:23-25.)

PO's reliance on *PPC Broadband v. Iancu*, 739 F. App'x 615, 625 (Fed. Cir. 2018), is misplaced too, because the PO there submitted detailed evidence of commercial success, including: "(1) PPC sold approximately 181 million of these connectors in 2013 alone, generating nearly \$50 million in revenue, (2) in 2013, SignalTight connectors comprised 67% of the total connector market, with another

15% captured by Corning's UltraShield connectors that copied PPC's patented continuity member; and (3) SignalTight connectors were 'priced at a premium to non-continuity and other connectors available on the market'". PO submitted no such evidence here. (FWD, p.51 (allegations are not evidence; PO's evidence was "very weak," and no sales data submitted).) None of PO's cited cases apply.

III. THE BOARD APPLIED CORRECT CLAIM CONSTRUCTIONS

The Board applied the correct claim constructions of "angular rate electrical signals" and "angular rate voltage signals." After providing a detailed analysis of the claim language, specification, file history, and expert testimony, the Board found that "'angular rate electrical signals' means electrical signals that reflect a measurement of angular rate," and "'angular rate voltage signals' means voltage signals that reflect a measurement of angular rate." (FWD, pp.15-20.)

PO provides no basis to disturb this finding. The Board noted that PO offered shifting and inconsistent positions, originally arguing that these terms required signals that "directly measure and reflect angular rate," but at other times making arguments that appeared to remove the "directly" and "measure" requirements from its own proposed construction. (FWD, pp.15-16.) In any event, the Board correctly observed that "claim 1 does not specify how the angular rate detecting units produce the electrical signals, much less require that they 'directly'—or any equivalent language thereof—produce the angular rate electrical signals." (*Id.*, p.17 (citing

EX1001, 23:43-24:21).) The Board correctly declined to import PO’s unclaimed requirement into the claims. (*Id.*, p.45 (“[W]e do not read limitations from the Specification into the claims. See *In re Van Geuns*, 988 F.2d 1181, 1184 (Fed. Cir. 1993).”).)

Rather than address the intrinsic record, PO focuses on a picture of a hat. (Request, p.5 (photo).) PO’s main complaint is about the end result (a finding of unpatentability) rather than whether the Board performed a proper claim construction. (*Id.*, p.6 (citing *Tate Access Floors* that claim language “should generally be construed to preserve validity” when possible¹).) But the Board did not interpret the claim to read onto the prior art – it performed a proper analysis of the intrinsic evidence to construe disputed claim language. (FWD, pp.15-20.) The Board explained how the plain language of the claims – and the very examples in the specification highlighted by PO – confirmed that the electrical signals must only reflect a measurement of angular rate. (*Id.*, p.19.) The Board’s claim constructions, and application of those claim constructions, were correct.

¹ The Federal Circuit further said that where claim language properly construed “clearly reads on prior art, the patent is invalid.” *Tate Access Floors v. Interface Architectural Res.*, 279 F.3d 1357, 1367 (Fed. Cir. 2002). *Tate Access Floors* thus supports the Board’s conclusion here.

IV. THE BOARD CORRECTLY FOUND CLAIM 1 UNPATENTABLE BASED ON MULTIPLE INDEPENDENT GROUNDS

PO provides little more than a broadside attack on the Board’s conclusion that claim 1 was unpatentable, under two independent grounds, for alleged lack of the claimed “angular rate electrical signals.” (Request, pp.7-8.) The Board correctly noted, quoting from the Smith reference itself, that each of its ring gyros “produces an output digital signal having a pulse repetition rate proportional to the rate of angular displacement of each gyro 42, 44, and 46 about its coordinate axis.” (FWD, p.45 (quoting EX1003, 8:3-6).) These signals “reflect a measurement of angular rate,” as explained by the Board, “because their pulse repetition rate or frequency is proportional to the angular rate of displacement.” (FWD, p.45) With respect to Tingleff, the Board similarly found that the error rate signals in that reference (which corresponded to the claimed angular rate electrical signals) qualify as angular rate electrical signals. (*Id.*, p.66.) The Board reasoned that the error rate signals are “analog rate ‘signal[s] output due to the angular rotation of the moving object’ and which ‘represent[] the difference between the current position of a gyro gimbal and its original (null) position.’” (*Id.* (quoting EX1002, ¶¶158-160).)² The Board

² PO also incorrectly asserts that Petitioner disclaimed reliance on Chan and Bernstein for the claimed angular rate electrical signals. (Request, pp.7-8.)

properly found that both Smith and Tingleff disclosed angular rate electrical signals.

V. THE BOARD CORRECTLY FOUND CLAIM 4 UNPATENTABLE BASED ON MULTIPLE INDEPENDENT GROUNDS

Claim 4 depends from claim 1 and further recites, in pertinent part, that the angular rate electrical signals of claim 1 “are analog angular rate voltage signals directly proportional to angular rates of a carrier....” The Board found claim 4 unpatentable based on the Tingleff and Smith grounds.

Tingleff-Based Ground: The Board found that Tingleff’s “IMU is mounted to the device, vehicle or carrier (e.g. aircraft) with which it is used.” (FWD, p.68.) The Board explained that “Tingleff’s analog signals are additionally ‘voltage signals’ that are ‘**directly proportional**’ to the angular rate or acceleration’ of the device carrying the gyroscopes and accelerometers of Tingleff.” (*Id.* (citing *e.g.*, “Ex. 1002 ¶¶ 176-178, 140-141, 148; Ex. 1007, 14”) (emphasis added).) PO has identified no basis to disturb the Board’s findings on claim 4.

In fact, the Board found that PO “**forfeited** any argument regarding Petitioner’s contentions,” because PO’s response failed to “advance arguments

The Board correctly rejected this assertion. (FWD, p.44 (“We disagree with Patent Owner’s argument that the Petition relies solely on Smith for the claimed ‘angular rate electrical signals.’”), p.65 (same; Tingleff).)

directed to claim 4 as allegedly obvious under this ground.” (FWD, p.69 (PO “[did] not contest” Petitioner’s claim 4 arguments) (emphasis added).) No Director Review is warranted on this issue. (*Id.*, pp.68-69 (citing evidence).)

Smith-Based Ground: As another independent basis for concluding claim 4 is unpatentable, citing the evidence, the Board recognized that “Smith discloses its IMU ‘is mounted to the aircraft with which it is used’”. (FWD, p.56.) Smith “teaches that its accelerometers produce analog signals that ‘are **directly used** to generate’ digital $+\Delta V$ and $-\Delta V$ signals each having a pulse repetition rate proportional to acceleration of a respective accelerometer.” (*Id.* (emphasis added).) The Board explained how the Irwin textbook and Dr. Young’s expert testimony showed that “it would have been obvious for Smith’s electrical signals produced by the angular producer and the acceleration producer to have included analog voltage signals **directly proportional** to the angular rotation and acceleration, respectively, of the aircraft carrying the gyros and accelerometers.” (*Id.* (citing evidence, emphasis added).) The Board also recognized that Merhav “teaches that laser ring gyros would have generated a sinusoidal signal that would have been converted by ‘[d]igital pulse conditioning and logic ... into a train of pulses whose frequency is **directly proportional** to Ω and whose accumulated count represents the angle θ .” (*Id.*, pp.56-57 (citing evidence, emphasis added).) The Board thoroughly analyzed the evidence and was “unpersuaded by Patent Owner’s arguments.” (*Id.*, pp.55-58.)

No Director Review is warranted, especially since PO's only argument is a factually incorrect suggestion that the Board supposedly "ignored" or "vitiated" the "directly proportional" language of claim 4. (Request, pp.8-10 ("The Decision erred by failing to mention or address this 'directly proportional' requirement of claim 4," "Decision never discusses this 'directly proportional' language".) Nothing could be farther from the truth. (*E.g.*, FWD, p.26 (Merhav: "**directly proportional**"), pp.43-44 (Smith: "output signals '**directly** measure and reflect angular rate'" and combination shows "gyroscopes that generate electrical signals **proportional** to the angular rate"), p.56 (Smith: "obvious for Smith's electrical signals produced by the angular producer and the acceleration producer to have included analog voltage signals **directly proportional** to the angular rotation and acceleration"), p.56 ("signals that 'are **directly** used to generate' digital $+\Delta V$ and $-\Delta V$ signals"), pp.56-57 (Merhav: "frequency is **directly proportional** to Ω "), p.68 (Tingleff: "'voltage signals' that are '**directly proportional**' to the angular rate or acceleration") (all emphasis added).) PO provides no legitimate basis to review the Board's detailed Final Written Decision.

VI. THE BOARD CORRECTLY FOUND PO'S REAL-PARTY-IN-INTEREST ARGUMENT UNSUPPORTED – THERE WAS NOTHING "BEYOND SPECULATION"

PO argued that the Petition should be deemed time barred under 35 U.S.C. § 315(b), because "STMicroelectronics N.V." and "STMicroelectronics S.r.l." were

supposedly served with a complaint that undisputedly **did not accuse STMicroelectronics of infringing the challenged '648 patent**, but did mention the '648 patent was supposedly infringed by another unrelated party called OnePlus Tech. (Shenzhen) Co. (FWD, pp.8-9, 3; EX1049, ¶13.) PO's request recognizes that it seeks unprecedented relief. (Request, p.15 ("first impression").)

The Board correctly found that: "[t]he record before us does not demonstrate a relationship between Petitioner and STMicro sufficient to show that STMicro is a real party in interest." (FWD, p.9.) Federal Circuit authority required PO to produce "*some* evidence that tends to show that a particular third party should be named a real party in interest." (*Id.*, pp.9-10 (citing *Worlds v. Bungie*, 903 F.3d 1237, 1242 (Fed. Cir. 2018)).) PO tendered no such evidence.

Instead, PO sought "discovery as to certain agreements and communications between Petitioner and STMicro." (FWD, p.9.) But the Board found that PO "failed to show that STMicro was properly served the 2020 Complaint under Rule 4 of the Federal Rules of Civil Procedure." (*Id.*; Paper 51, pp.3-4.) As the Board's order recognized, during the hearing, PO "agree[d] that the *service attempt in Exhibit 2013 was disputed* in the 2020 Action and 'then there was at least one or two *attempts* to serve through the Hague after that.'" (Paper 51, p.4 (emphasis added).) The Board found: "**nothing** in the record indicates that STMicro was served in compliance with Rule 4." (*Id.*, p.5 (emphasis added).)

The Board was correct. PO submitted nothing other than attorney argument and speculation. (*Compare* Reply, Paper 28, p.24 n.2 with EX1070 (brief, not evidence); EX1071 (unsigned proposed summons); Response, pp.63-64 (brief, not evidence).) PO now cites to EX1070 and EX1071 (Request, p.15), but these do not support its position. EX1070 shows that STMicroelectronics N.V. *disputed* service because “[CSC] is not authorized to accept service for patent-infringement lawsuits.” (EX1070, p.2.) And EX1071 is merely a request by PO for issuance of an amended summons from the district court – an act inconsistent with its unsupported allegation that it previously effected proper service. (EX1071; *see also* EX1072 (amended summons).) The amended summons is irrelevant because PO voluntarily dismissed the lawsuit five days later, without any proof that it was ever served. (EX1073.) PO was the plaintiff who filed the prior lawsuit against STMicro, and as such, it was uniquely positioned to provide evidence to the Board of proper service of the complaint. But PO offered nothing more than attorney argument and speculation. (Paper 51, p.5.) Because PO did not provide evidence of service, its § 315(b) arguments were properly rejected. (FWD, pp.8-10.)

VII. PO’S EVIDENCE WAS SO “WEAK” IT COULD NOT HAVE HAD SETTLED EXPECTATIONS, ESPECIALLY SINCE ANY SUCH EXPECTATIONS ARE NOT A BASIS FOR DIRECTOR REVIEW

The Request begins with a section stating that the FWD overturns “long-settled rights” in PO’s alleged inventions. PO does not directly explain how this

argument supports Director Review of the Final Written Decision. To the extent PO is suggesting a belated argument for discretionary denial of IPR institution, this argument fails because a “request for Director Review of a final decision is not an opportunity to raise issues related to the Board’s decision on institution.” *See* <https://www.uspto.gov/patents/ptab/decisions/director-review-process> (“Director Review Process”), §2(B). Allowing a patent owner to raise “settled expectations” to overturn a lengthy and detailed Final Written Decision would represent a dramatic departure from PTAB policy and precedent, and would waste the substantial resources the Board (and the parties) have already invested in this proceeding – particularly considering that the District Court in the pending litigation stayed and vacated deadlines, including the trial date, in deference to this IPR. (*See* EX2027.) The Board’s detailed decision, based on reviewing well over 100 exhibits, should not be disturbed.³

In any event, PO’s arguments about its supposed “long-settled expectations” rest on the same unsubstantiated secondary considerations theories that the Board

³ Because the ’648 had been expired for over three years when it was asserted against Petitioner, any alleged settled expectations would not warrant rescinding institution. *Google v. Sandpiper CDN*, IPR2025-00806, Paper 13, 2 (P.T.A.B. Sept. 12, 2025); *Apple v. Ferid Allani*, IPR2025-00856, Paper 11, 3 (Director Sept. 5, 2025).

found “very weak.” (FWD, pp.50-54 (“record does not include any license agreements”; no “sales data”; no evidence “Draper Labs, NASA JPL, and Analog Devices tried and failed to develop *the claimed invention*”; “very weak” argument about industry praise, “lack of evidence” of copying).) PO’s “mere attorney argument” about its self-serving “expectations” does not warrant Director Review of the Final Written Decision, which found the challenged claims unpatentable under multiple grounds. (*Id.*, pp.52, 74.)

PO’s reliance on *PLR Worldwide Sales v. Flip Phone Games*, No. IPR2024-00133, 2024 WL 3934712, at *1, *3 (P.T.A.B. Aug. 22, 2024), is misplaced. There, “in a split decision, the Board majority denied institution of *inter partes* review,” but the Director “vacate[d] the Board’s Decision denying institution” for further discussion of claim construction. The Director asked the Board to conduct a *Phillips* analysis. *Id.* at *3. But the Board here devoted nearly ten pages to claim construction analysis, detailing its review of the claim language, specification, file history, and extrinsic evidence. (FWD, pp.11-20.)

VIII. CONCLUSION

PO’s request for Director Review should be denied. The arguments and evidence PO came up with do not warrant Director Review.

Dated: September 26, 2025

Respectfully submitted,

COOLEY LLP
ATTN: Patent Group
1299 Pennsylvania Avenue NW
Suite 700
Washington, DC 20004
Tel: (650) 843-5000
Fax: (650) 849-7400

By: / Matthew J. Brigham /
Matthew J. Brigham
Reg. No. 44,047
Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. Section 42.6, that a complete copy of the attached **AUTHORIZED RESPONSE TO DIRECTOR REVIEW REQUEST OF FINAL WRITTEN DECISION** is being served via electronic mail on the 26th day of September 2025, upon Patent Owner by serving Patent Owner's counsel of record in this proceeding as follows:

Brenda Entzminger
Reg. No. 76,896
Corey Johanningmeier, Back-up Counsel
(*pro hac vice*)
Bunsow De Mory LLP
701 El Camino Real
Redwood City, CA 94063
Telephone: 650-351-7248
Facsimile: 415-426-4744
bentzminger@bdiplaw.com
cjohanningmeier@bdiplaw.com

Dated: September 26, 2025

/ Matthew J. Brigham /
Matthew J. Brigham