

From: Wilson, Andrew <andrew.wilson@BakerBotts.com>
Sent: Friday, October 31, 2025 7:39 PM
To: Trials <Trials@USPTO.GOV>
Cc: Williams, Eliot D. <Eliot.Williams@BakerBotts.com>; Guy, Hop <hop.guy@BakerBotts.com>; DishvMindGeek <DishvMindGeek@BakerBotts.com>; Gasparo, Frank M. <fmgasparo@venable.com>; Paquette, Ian G. <igpaquette@venable.com>; Sheng, Philip T. <ptsheng@venable.com>; Zimmerman, Parker G. <pgzimmerman@venable.com>
Subject: IPR2024-00940 - Aylo v. DISH

Dear Honorable Board,

In accordance with *Corning Optical Communications RF, LLC v. PPC Broadband, Inc.* and Director Squires's October 28, 2025 memorandum designating that case as precedential, Patent Owner DISH Technologies L.L.C. seeks authorization to file a motion to dismiss the Petition for failure to name all real parties-in-interest, or, in the alternative, to seek targeted discovery into Petitioner Aylo Freesites Ltd.'s corporate structure and the decision-making leading to the filing of this proceeding. See *Corning Optical*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) (Precedential) (dismissing instituted proceeding for omitting a real party in interest); Director's October 28, 2025 [Memo](#) (discussing problems caused by use of "[o]paque investment structures" behind patent challenges in the PTAB and noting that the "integrity of PTAB proceedings depends on knowing who is behind a petition—who funds it, directs it, and/or benefits from it").

In DISH's proposed motion, DISH would show that Petitioner's sister company, 9219-1568 Quebec Inc., is a real party-in-interest because it shares common ownership with Petitioner and, as a named defendant in the related Utah District Court action (Case No. 2:24-cv-00066), stands to benefit directly from the outcome of this proceeding. Evidence of common ownership, control, and corporate blurring between Petitioner Aylo Freesites Ltd. and 9219-1568 Quebec Inc. was recently made public in the FTC's [Complaint for Permanent Injunction, Monetary Judgment, and Other Relief](#) against Aylo and its affiliates and in the resulting [Stipulated Order for Permanent Injunction, Monetary Judgment, and Other Relief](#), which was executed by a single individual corporate officer on behalf of both entities (among others).

Given the number of related entities in Aylo's corporate structure and the apparent common control among them, DISH in the alternative seeks authorization to file motion for targeted discovery into Aylo's corporate structure and decision-making leading to the filing of this Petition.

Meet-and-Confer Status: Patent Owner contacted Petitioner's counsel to meet and confer on this issue as required by the rules. Petitioner responded that it was not available to meet until Wednesday, November 5. However, in light of the looming Final Written Decision deadline, Patent Owner respectfully submits this request now so that the issue is preserved and sufficient time is allowed for briefing this issue.

Counsel for DISH is available for a conference call at the Board's convenience. We understand that Aylo's counsel has indicated limited availability next week and anticipate they will follow up separately with their availability.

Respectfully,

Andrew Wilson
T +1.202.639.1312
M +1.301.807.6646
F +1.202.508.9336

Baker Botts L.L.P.
700 K Street, NW
Washington, D.C. 20001

Confidentiality Notice:

The information contained in this email and any attachments is intended only for the recipient[s] listed above and may be privileged and confidential. Any dissemination, copying, or use of or reliance upon such information by or to anyone other than the recipient[s] listed above is prohibited. If you have received this message in error, please notify the sender immediately at the email address above and destroy any and all copies of this message.