

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MOTOROLA MOBILITY LLC and GOOGLE LLC,  
Petitioner,

v.

MULTIFOLD INTERNATIONAL INCORPORATED PTE. LTD.,  
Patent Owner.

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IPR2025-00040  
Patent 9,134,756 B2

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Before KRISTEN L. DROESCH, HYUN J. JUNG, and  
BRIAN P. MURPHY, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding  
Denying Without Prejudice Additional Briefing  
*37 C.F.R. § 42.5*

On January 23, 2026, Petitioners Motorola Mobility LLC and Google LLC (hereafter “Petitioner”) requested authorization to file an additional brief to address what Petitioner characterizes as “new arguments first raised by Patent Owner in its sur-reply brief.” Ex. 3001. Petitioner’s request represented that Patent Owner Multifold International Incorporated Pte. Ltd. (“Patent Owner”) opposes the request as “outside the scope of this proceeding” and due to alleged waiver by Petitioner. Ex. 3001. The Oral Hearing in this proceeding is scheduled for February 24, 2026.

Our rules permit Petitioner to file a Reply that “may only respond to arguments raised in the corresponding . . . patent owner response.” 37 C.F.R. § 42.23(b). Patent Owner is permitted to file a Sur-Reply that “may only respond to arguments raised in the corresponding reply.” *Id.* “‘Respond,’ in the context of 37 C.F.R. § 42.23(b), does not mean proceed in a new direction with a new approach as compared to the positions taken in a prior filing.” Consolidated Trial Practice Guide 74.<sup>1</sup> In most cases, a sur-reply is the last substantive briefing filed with the Board prior to oral argument, although our rules provide that “[t]he Board may order briefing on any issue involved in the trial.” 37 C.F.R. § 42.20(d); *see also id.* at § 42.5 (“The Board . . . may enter non-final orders to administer the proceeding.”).

We have reviewed Petitioner’s Reply and Patent Owner’s Sur-Reply in view of Petitioner’s request for additional briefing and Patent Owner’s opposition to that request. At this juncture, particularly given the upcoming Oral Hearing, we are not inclined to order additional briefing. Counsel for

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<sup>1</sup> Available at [www.uspto.gov/patents/ptab/trial-practice-guide](https://www.uspto.gov/patents/ptab/trial-practice-guide)

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the parties are advised to be prepared to discuss the issue at the Oral Hearing on February 24, 2026. If the Board determines that additional briefing is warranted, Petitioner may renew the request.

#### ORDER

Accordingly, it is

ORDERED that Petitioner's request for additional briefing is *Denied Without Prejudice*.

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