From:	Trials
To:	slu@irell.com; korso@irell.com; jlindsay@irell.com; jiegao08@gmail.com; Harris, Michael J.; Bowling, Aaron; Sebba, Michael; Staubach, Lindsey
Cc:	Trials
Subject:	IPR2025-00141 briefing regarding 35 U.S.C. § 325(d)
Date:	Tuesday, May 20, 2025 3:32:05 PM

External E-mail

Subject: IPR2025-00141 briefing regarding 35 U.S.C. § 325(d)

Counsel,

In IPR2025-00141, Petitioner previously requested authorization to file a reply to the preliminary response. That request was denied in an email from the Board on March 28, 2025. Yesterday, the PTAB designated as precedential a Director Review decision clarifying the analysis under 35 U.S.C. § 325(d)--*Ecto World, LLC v. RAI Strategic Holdings, Inc.*, IPR2024-01280, Paper 13 (May 19, 2025) (precedential as to § A).

In light of this recent development, Petitioner is authorized to file, in IPR2025-00141, a reply to the preliminary response. The reply is limited to the Section 325(d) issue and shall be no more than five (5) pages and shall be filed within three (3) business days of this email. Patent Owner is authorized to file a sur-reply of no more than five (5) pages and the sur-reply shall be filed within three (3) business days of the filing of Petitioner's reply.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366

Skechers U.S.A. v. Nike, Inc.
IPR2025-00141
Patent No. 8,266,749
Ex. 2009