

**Subject:** RE: IPR2025-00188, -00429: Party requests regarding discretionary denial issues  
**Date:** Monday, March 31, 2025 at 08:22:03 Pacific Daylight Time  
**From:** Trials  
**To:** Foster, Theo, Trials  
**CC:** Timothy Dewberry, David Schumann, Moses Xie, Theo Foster IPR, David McCombs IPR, Eugene Goryunov IPR, Gregory Huh IPR, Joseph Abraham, Cliff Win  
**Attachments:** image001.jpg

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Counsel,

The parties' joint request to file additional briefing in IPR2025-00188 is granted. Consistent with the parties' agreement, Patent Owner is authorized to file a supplemental brief on discretionary denial by April 10, 2025, and Petitioner is authorized to file a supplemental brief on discretionary denial by April 22, 2025.

The parties' joint request to file additional briefing in IPR2025-00429 is moot. A Notice Extending Deadline for Discretion Briefing (Paper 7) recently was entered in that case.

Regards,

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

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**From:** Foster, Theo <[Theo.Foster@haynesboone.com](mailto:Theo.Foster@haynesboone.com)>  
**Sent:** Thursday, March 27, 2025 6:02 PM  
**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>  
**Cc:** Timothy Dewberry <[timothy.dewberry@foliolaw.com](mailto:timothy.dewberry@foliolaw.com)>; David Schumann <[David.schumann@foliolaw.com](mailto:David.schumann@foliolaw.com)>; Moses Xie <[moses.xie@foliolaw.com](mailto:moses.xie@foliolaw.com)>; Theo Foster IPR <[ipr.theo.foster@haynesboone.com](mailto:ipr.theo.foster@haynesboone.com)>; David McCombs IPR <[david.mccombs.ipr@haynesboone.com](mailto:david.mccombs.ipr@haynesboone.com)>; Eugene Goryunov IPR <[Eugene.Goryunov.ipr@haynesboone.com](mailto:Eugene.Goryunov.ipr@haynesboone.com)>; Gregory Huh IPR <[Gregory.Huh.IPR@haynesboone.com](mailto:Gregory.Huh.IPR@haynesboone.com)>; Joseph Abraham <[Joseph.abraham@foliolaw.com](mailto:Joseph.abraham@foliolaw.com)>; Cliff Win <[cliff.win@foliolaw.com](mailto:cliff.win@foliolaw.com)>  
**Subject:** IPR2025-00188, -00429: Party requests regarding discretionary denial issues

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To the Honorable Board,

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*Cisco Systems v. WSOU Investments LLC*  
*IPR2025-00188*  
*WSOU Exhibit 2021*  
*Page 1 of 3*

Petitioner Cisco Systems, Inc. and Patent Owner WSOU Investments d/b/a Brazos Licensing and Development have conferred regarding multiple issues in IPR2025-00188 and IPR2025-00429, and the parties have reached agreement regarding the proposals below, which they request the Board authorize and approve:

1. Petitioner requests authorization to file a Sotera stipulation in each of IPR2025-00188 and IPR2025-00429, involving patents U.S. 8982691 and U.S. 9450884 respectively. Petitioner has conferred with Patent Owner regarding this request. Patent Owner does not oppose Petitioner's request.
2. Petitioner and Patent Owner jointly request authorization to file additional papers in IPR2025-00188 addressing Petitioner's Sotera stipulation and the Office's March 26, 2025 guidance regarding discretionary denial. The parties respectfully submit that the changed factual circumstances (the Sotera stipulation) and the new Director guidance on discretionary denial provide good cause for supplemental briefing. The parties have conferred and request the following schedule, which preserves eight weeks between the final paper and the Board's deadline for an Institution Decision (June 17, 2025):
  - April 10, 2025: Patent Owner's Supplemental Paper on Discretionary Denial (limited to 4637 words, the balance of the available word count from the POPR, which contained 9363 words);
  - April 22, 2025: Petitioner's Supplemental Paper on Discretionary Denial (limited to 2318 words, half the length of Patent Owner's corresponding paper).
3. Patent Owner requests that Patent Owner's Preliminary Response brief regarding the discretionary denial factors for director review of IPR2025-00429 in accordance with the March 26, 2025 guidance occur on the same briefing schedule as IPR2025-00188 listed above (i.e., due April 10, 2025). Otherwise, the parties believe that the IPR2025-00429 brief in accordance with the March 26, 2025 guidance may be due on March 31, 2025. Patent Owner has conferred with Petitioner regarding this request. Petitioner does not oppose Patent Owner's request. To avoid impacting the Board's timely handling of cases, Petitioner offers to file its responsive paper regarding discretionary denial on the same day it would have otherwise been due under the interim guidance, April 30, 2025.

The parties have jointly negotiated and agreed to the text of this email. If a conference call is necessary, the parties will provide a list of mutually agreeable times.

Best regards,  
Theo Foster  
Counsel for Petitioner Cisco Systems, Inc.  
**HAYNES BOONE**

**Theo Foster**  
He/Him/His  
Partner  
[theo.foster@haynesboone.com](mailto:theo.foster@haynesboone.com)

**Haynes and Boone, LLP**  
675 15th Street  
Suite 2200  
Denver, CO 80202

(t) +1 303.382.6205  
(m) +1 303.949.0023

[vCard](#) | [Bio](#) | [Website](#)

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