

From: [Director_PTABDecision_Review](#)
To: "Rita C. Chipperson"; [Director_PTABDecision_Review](#); [Fisher, Michael](#); [Plies, Jeffrey](#); [Morgan Golightly](#); [Docketing](#); [gorourke@okorlaw.com](#); [Sean O'Kelly](#); [All Rode-Dechert](#); [Laura Carrig](#); [Nicholas Seneczko](#)
Subject: RE: RØDE Microphones, LLC, et al. v. Zaxcom, Inc., IPR2025-00231 - Request to file one-page correction of factual statements in Patent Owner's brief
Date: Friday, September 19, 2025 2:31:00 PM

Counsel,

Petitioner's request for authorization to file a reply in support of its request for Director Review is denied.

Thank you.

From: Rita C. Chipperson <rcc@chippersonlaw.com>
Sent: Tuesday, September 16, 2025 12:22 PM
To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>; Fisher, Michael <Michael.Fisher@dechert.com>; Plies, Jeffrey <Jeffrey.Plies@dechert.com>; Morgan Golightly <mdg@chippersonlaw.com>; Docketing <docketing@chippersonlaw.com>; gorourke@okorlaw.com; Sean O'Kelly <sokelly@okorlaw.com>; All Rode-Dechert <All-Rode-Dechert@dechert.com>; Laura Carrig <lcarrig@okorlaw.com>; Nicholas Seneczko <ns@chippersonlaw.com>
Subject: RE: RØDE Microphones, LLC, et al. v. Zaxcom, Inc., IPR2025-00231 - Request to file one-page correction of factual statements in Patent Owner's brief

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To the Honorable Director,

Petitioners request for a single-page reply ("Reply") regarding Patent Owner's use of "100% overlap" on page 9 of its response to Petitioner's Request for Director Review ("Response") should be denied. This use is at the end of, and follows, a paragraph that makes clear that Patent Owner is using this term to describe a one-way overlap, i.e., 100% (i.e., all three) of the Freedman Directors are on the Board of Lectrosonics (i.e., 100% overlap).

Patent Owner submits that its use is consistent with a typical use of this term in IPR proceedings, which often arises in a Fintiv Factor 4 setting (i.e., overlap between issues raised in the petition and in the parallel proceeding). In that context, 100% or complete overlap of the issues between an IPR and a patent infringement litigation is routinely understood to be a one-way overlap -- all the validity issues of the IPR are present in the litigation, but there are also additional issues in the litigation (e.g., patent infringement allegations).

Lastly, it would be highly unlikely for the Director to be confused by Patent Owner's use of this term as Patent Owner **cites and discusses** the charts of both Boards of Directors of Freedman and Rode on pages 3 and 11 of the response. Patent Owner also intended to cite to the charts on page 9 but inadvertently listed the wrong exhibit number. Patent Owner submitted a request to correct this immediately before sending this email, and the Petitioners have consented to such correction. Assuming the request is granted, there will be **three** citations to the charts that detail Freedman's and Lectrosonics' Directors, thereby making it nearly impossible to understand Patent Owner's intent.

For all these reasons, Petitioners request to submit a Reply should be denied. If it is not denied, Patent Owner requests a one-page sur-reply to respond to the Reply.

IPR2025-00231
Ex. 3103

Best regards,

Rita C. Chipperson

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From: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>

Sent: Tuesday, September 16, 2025 7:33 AM

To: Fisher, Michael <Michael.Fisher@dechert.com>; Rita C. Chipperson <rcc@chippersonlaw.com>; Plies, Jeffrey <Jeffrey.Plies@dechert.com>; Morgan Golightly <mdg@chippersonlaw.com>; Docketing <docketing@chippersonlaw.com>; gorourke@okorlaw.com; Sean O'Kelly <sokelly@okorlaw.com>; All Rode-Dechert <All-Rode-Dechert@dechert.com>; Laura Carrig <lcarrig@okorlaw.com>

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Counsel,

Patent Owner may respond with its position as to Petitioner's request via email by Tuesday, September 16th.

Thanks.

From: Fisher, Michael <Michael.Fisher@dechert.com>

Sent: Monday, September 15, 2025 3:57 PM

To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>

Cc: Rita C. Chipperson <rcc@chippersonlaw.com>; Plies, Jeffrey <Jeffrey.Plies@dechert.com>; Morgan Golightly <mdg@chippersonlaw.com>; Docketing <docketing@chippersonlaw.com>; gorourke@okorlaw.com; Sean O'Kelly <sokelly@okorlaw.com>; All Rode-Dechert <All-Rode-Dechert@dechert.com>; Laura Carrig <lcarrig@okorlaw.com>

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Honorable Director,

Petitioners respectfully request a single-page reply to Patent Owner's responsive brief to correct, or at least clarify, a material factual statement in the brief. More particularly, Patent Owner's brief states twice on page 9 that there is "100% overlap" between the Directors of Freedman and Lectrosonics. In fact, Lectrosonics' directors continued to include Wesley Herron and John Gordon Moore after the acquisition while three Freedman directors were added. Freedman's directors remained the same. Ex. 1041, ¶¶ 15-16. Thus, there is not 100% overlap.

Petitioners asked Patent Owner to clarify this issue, but Patent Owner would not agree to do so, thereby necessitating this request.

Regards,

Michael A. Fisher
Counsel for Petitioners

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