From:	Director_Discretionary_Decision
To:	Roger Thompson; Director_Discretionary_Decision; Trials
Cc:	Kaiser, Jessica (Perkins Coie); Kyle Deighan; Francisco Villegas; Damir Cefo; carter-ptab@perkinscoie.com; moulder-ptab@perkinscoie.com
Subject:	RE: Twitch Interactive, Inc. v. Razdog Holdings, IPR Nos. 2025-00307 and 2025-00308 - PO Request to file corrected Request for Discretionary Denial (-00308 only) and Joint Request for Leave to file Reply/Sur-Reply re: Requests for Discretionary Denial (b
Date:	Wednesday, May 7, 2025 3:44:45 PM

Counsel –

Patent Owner is authorized to file the corrected version of Paper 10 in IPR2025-00308. The parties are permitted to file a joint notice in each proceeding, limited to three pages and due no later than Friday, May 9, 2025, with appropriate exhibits, that identifies any updates to the district court matter not currently of record in the IPR proceedings. The joint notice shall not include any arguments. At this time, the parties' request for further briefing is denied.

From: Roger Thompson <rthompson@villegascefo.com>
Sent: Tuesday, May 6, 2025 3:29 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>; Trials <Trials@USPTO.GOV>
Cc: Kaiser, Jessica (Perkins Coie) <jkaiser@perkinscoie.com>; Kyle Deighan <kdeighan@calfee.com>; Francisco Villegas <fvillegas@villegascefo.com>; Damir Cefo <dcefo@villegascefo.com>; carter-ptab@perkinscoie.com; moulder-ptab@perkinscoie.com
Subject: Twitch Interactive, Inc. v. Razdog Holdings, IPR Nos. 2025-00307 and 2025-00308 - PO Request to file corrected Request for Discretionary Denial (-00308 only) and Joint Request for Leave to file Reply/Sur-Reply re: Requests for Discretionary Denial (both)

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Dear Acting Director Stewart,

We write regarding two issues concerning the parties' discretionary denial briefing in IPR Nos. 2025-00307 and 2025-00308.

1. Patent Owner requests authorization to file a corrected version of its Request for Discretionary Denial (Paper 10) in IPR2025-00308. It has come to Patent Owner's attention that in IPR2025-00308, Patent Owner inadvertently filed an incorrect version of its discretionary denial brief. Specifically, Patent Owner mistakenly filed its Request for

Discretionary Denial from a related proceeding, IPR2025-00307, in the -00308 proceeding. *See, e.g.*, Paper 10. Patent Owner did, however, ***serve*** the correct versions of its Request for Discretionary Denial in both proceedings on Petitioner on March 28 and therefore Petitioner suffered no prejudice from Patent Owner's mistake. Counsel for the parties have conferred and Petitioner does not oppose Patent Owner's request. Petitioner filed its Opposition to Patent Owner's Request for Discretionary Denial in IPR2025-00308 (Paper 11) on April 30, and that opposition is directed to the corrected brief that PO seeks authorization to file. If authorization is denied, Petitioner seeks authorization to file its Opposition from IPR2025-00307 in IPR2025-00308.

2. Separately, the parties jointly request authorization to file a reply and a sur-reply concerning Patent Owner's Requests for Discretionary Denial in both IPR2025-00307 and IPR2025-00308. Petitioner's Oppositions to Patent Owner's Requests for Discretionary Denial address several factual circumstances that have changed since the filing of Patent Owner's Requests for Discretionary Denial on March 28 in both proceedings, including: (a) Petitioner's *Sotera* stipulations regarding each proceeding served on Patent Owner on April 21 (*see, e.g.*, IPR2025-00307, Paper 13 at 8-10; IPR2025-00308, Paper 11 at 9-10); (b) changes in the parties' co-pending district court litigation, including the previous presiding judge's recusal on April 28, reassignment to a new judge on April 29, and case schedule (*see, e.g.*, IPR2025-00307, Paper 13 at 3-4; IPR2025-00308, Paper 11 at 4-5); and (c) Petitioner's filing of a motion to stay the district court proceedings in the parallel litigation. The parties have conferred on this issue and, with the Acting Director's approval, have agreed to the following: (1) Patent Owner may file a reply to Petitioner's opposition regarding discretionary denial within one (1) week of the Acting Director's approval, limited to addressing the changed factual circumstances detailed above; and (2) Petitioner may file a sur-reply to Patent Owner's reply within one (1) week of the filing of Petitioner's reply, limited to addressing issues raised in Patent Owner's reply and (c) above which occurred after the opposition was filed. The parties agree to limit the replies and sur-replies to 5 pages each.

If requested, counsel for the parties are available for a conference call with the Board regarding either or both of these issues on Wednesday (5/7) or Thursday (5/8) from 1-5pm ET, or Friday (5/9) from 1-2:30 ET.

Best regards,
Roger Thompson
Counsel for Patent Owner Razdog Holdings LLC
Of counsel
VILLEGAS & CEFO LLP

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