

From: [Trials](#)
To: [Droesch, Kristen](#); [Daniels, Scott](#); [Laney, Frederick](#)
Cc: [Trials](#)
Subject: FW: IPR2025-00339 — Request to Correct Final Written Decision Regarding Claim 33
Date: Thursday, August 6, 2026 12:23:45 PM
Attachments: [image.png](#)
[image.png](#)

Please see below

Thanks
Andrew

From: Brandon Theiss <btheiss@addyhart.com>
Sent: Thursday, August 6, 2026 11:09 AM
To: Trials <Trials@USPTO.GOV>
Cc: Jonathan.Bowser@haynesboone.com; Russ Rigby <rrigby@intven.com>;
Scott.Jarratt@haynesboone.com; David.OBrien@haynesboone.com; Hong.Shi@haynesboone.com;
afawzy@tesla.com; Heather Allebach <hallelbach@addyhart.com>
Subject: Re: IPR2025-00339 — Request to Correct Final Written Decision Regarding Claim 33

You don't often get email from btheiss@addyhart.com. [Learn why this is important](#)

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Dear Honorable Board:

Patent Owner respectfully follows up on its July 23, 2026 email requesting correction of the apparent record-based error in the Final Written Decision, Paper 28, concerning claim 33. As explained in that email (below), Ground 3 did not challenge claim 33, and Petitioner does not oppose the requested correction.

Patent Owner is mindful of the August 20, 2026 deadline for requesting Director Review and does not understand the pending correction request to toll that deadline. Because the requested correction affects the decision from which Patent Owner may seek further review, Patent Owner respectfully requests the Board's guidance at its earliest convenience.

If the Board would prefer a conference call or a written submission, the parties will promptly make themselves available. This email is copied to all counsel of record.

Respectfully,



BRANDON R. THEISS
Partner

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From: Brandon Theiss <btheiss@addyhart.com>

Sent: Thursday, July 23, 2026 9:21 AM

To: Trials@uspto.gov <Trials@uspto.gov>

Cc: Jonathan.Bowser@haynesboone.com <jonathan.bowser@haynesboone.com>; Russ Rigby <rrigby@intven.com>; Scott.Jarratt@haynesboone.com <scott.jarratt@haynesboone.com>; David.OBrien@haynesboone.com <david.obrien@haynesboone.com>; Hong.Shi@haynesboone.com <hong.shi@haynesboone.com>; afawzy@tesla.com <afawzy@tesla.com>; Heather Allebach <hallebach@addyhart.com>

Subject: IPR2025-00339 — Request to Correct Final Written Decision Regarding Claim 33

Dear Honorable Board:

Patent Owner Intellectual Ventures II LLC respectfully requests correction of an apparent record-based error in the Final Written Decision, Paper 28.

At page 43, the Decision states that the Board reviewed Petitioner's contentions at Petition pages 88–93 concerning dependent claims “23, 28, 30, and 33” under Ground 3. The Petition, however, identifies Ground 3 as challenging only claims 22–23, 28, and 30 over Choi, Labaziewicz, and Yu. Pet. 70; see also Pet. iii–iv. Petition pages 88–93 analyze claims 23, 28, and 30, but contain no analysis of claim 33. Petitioner's Reply likewise identifies Ground 3 as addressing only claims 22–23, 28, and 30. Pet. Reply 28.

Claim 33 was challenged under Ground 1, which the Board determined did not establish the unpatentability of claim 33. Paper 28 at 34–35, 44.

Patent Owner therefore respectfully requests that the Board issue a corrected Final Written Decision to remove claim 33 from the determination under Ground 3 and to reflect that Petitioner did not demonstrate that claim 33 is unpatentable.

Patent Owner has conferred with Petitioner. Petitioner does not oppose the requested correction to the Final Written Decision. If the Board believes that a conference call is necessary, the parties will make themselves available at the Board's request.

This email is copied to all counsel of record.

Regards,



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