

From: [Director Discretionary Decision](#)
To: [Ray Ricordati](#)
Cc: [Trials](#); [Director Discretionary Decision](#); [Amber L. Branum](#); [Michael Heim](#); [Blaine Larson](#); [Eric Enger](#); [Wills Collier](#); [Thomas L. Duston](#); [MGBlitdocket](#); [Gwen Collins](#); [Iarnach IPL PL](#)
Subject: RE: IPR2025-00473 - Discretionary Denial Briefing
Date: Tuesday, June 17, 2025 4:32:42 PM

Petitioner may file a copy of the stipulation identified below as an exhibit, and a 2-page supplemental brief to explain the impact of the stay. Petitioner's supplemental filings are due on or before July 19, 2025. Patent Owner may file a response to the supplemental brief, limited to 2-pages and to the issues raised in the supplemental brief, on or before June 23, 2025.

From: Ray Ricordati <rricordati@marshallip.com>
Sent: Tuesday, June 17, 2025 12:53 PM
To: Trials <Trials@USPTO.GOV>
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Subject: IPR2025-00473 - Discretionary Denial Briefing

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Dear Board,

Petitioner seeks permission to file a supplemental notice regarding discretionary denial to address recent developments in the underlying litigation involving the parties to this proceeding.

First, as noted in Petitioner's preliminary response on discretionary denial, Patent Owner agreed to dismiss allegations concerning one asserted patent, U.S. Patent 8,942,378. The parties have now filed a stipulation with the court confirming that dismissal and Petitioner would like to provide a copy of that stipulation for the Board's review.

Second, the parties have jointly moved to stay the underlying litigation for a few months pending third-party discovery into Charter's case dispositive defense that it is entitled to a license to the remaining two asserted patents, including the '035 Patent at issue in this proceeding. Petitioner would like file a short update to its discretionary denial brief to explain the impact this stay may have on the Board's *Fintiv* analysis.

Thank you for your consideration of these issues.

Best,

Ray Ricordati



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