

From: [Director Discretionary Decision](#)
To: [Douglas, Christopher](#); [Director Discretionary Decision](#)
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Subject: RE: Reply to Request for Discretionary Denial // IPR2025-00524 and IPR2025-00722
Date: Tuesday, September 2, 2025 11:44:38 AM

Patent Owner's request for additional briefing in IPR2025-00524 and IPR2025-00722 is denied as there is insufficient time for additional briefing in these proceedings.

From: Douglas, Christopher <Christopher.Douglas@alston.com>
Sent: Friday, August 29, 2025 2:43 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
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Subject: Reply to Request for Discretionary Denial // IPR2025-00524 and IPR2025-00722

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Dear Acting Director,

Patent Owner respectfully requests authorization to file a two-page reply to the pending requests for discretionary denial in IPR2025-00524 and IPR2025-00722 to provide notice that, on August 20, the Board denied institution of review in IPR2025-00385 and to explain the impact of that denial on their other requests for discretionary denial. IPR2025-00385 was directed to another one of the patents at issue in the same underlying district court litigation as the patents at issue in IPR2025-00524 and IPR2025-00722. Good cause exists for a reply because the Board's recent denial of institution in IPR2025-00385 is a new fact that could not have been addressed in Patent Owner's original request for discretionary denial, and Patent Owner should be able to address the impact of this recent denial on its requests.

Patent Owner respectfully requests a 2-page reply and to file it within one week of receiving authorization. To the extent that IPR2025-00432 is also denied institution before this reply is filed, Patent Owner would address that in the same briefing.

Petitioner opposes Patent Owner's request. There is no good cause for a reply. The Acting Director is well aware of the Board's decisions and their relevance to other pending matters. Regardless, two pages exceeds the space needed to provide the proposed information, which could be provided in updated mandatory notices. Should the Acting Director grant Patent Owner's request, Petitioner requests a sur-reply of equal length, to be filed within two business days of Patent Owner's reply.

Thank you,

Christopher Douglas
Counsel for Patent Owner

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