

From: [Director Discretionary Decision](#)
To: [Warren Thomas](#); [Director Discretionary Decision](#)
Cc: [Halverson, Erik J.](#); [Centurelli, Chris](#); [Andrews, Joshua N.](#); [Bacchus, Raquel A.](#); [Lee Hamilton](#); [Samuel Fritz](#); [John Harbin](#); [Tricia Alley](#)
Subject: RE: IPR2025-00550 and -551 – PO request for reply brief
Date: Monday, June 23, 2025 1:22:44 PM
Attachments: [image001.png](#)

Patent Owner is authorized to file a 3-page reply in IPR2025-00550 and -00551, due no later than, Tuesday, June 24, 2025, limited to addressing the arguments raised below.

Petitioner is authorized to file a 3-page sur-reply in IPR2025-00550 and -00551, due no later than Thursday, June 26, 2025, limited to addressing arguments made in Patent Owner's reply brief.

From: Warren Thomas <wthomas@mcciplaw.com>
Sent: Friday, June 20, 2025 4:49 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Cc: Halverson, Erik J. <Erik.Halverson@klgates.com>; Centurelli, Chris <Chris.Centurelli@klgates.com>; Andrews, Joshua N. <Joshua.Andrews@klgates.com>; Bacchus, Raquel A. <Raquel.Bacchus@klgates.com>; Lee Hamilton <lhamilton@mcciplaw.com>; Samuel Fritz <sfritz@mcciplaw.com>; John Harbin <jharbin@mcciplaw.com>; Tricia Alley <TAlley@mcciplaw.com>
Subject: IPR2025-00550 and -551 – PO request for reply brief

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Patent Owner Number 14 B.V. seeks leave to file an identical, three (3) page reply brief in each of the above proceedings. The reply brief would be limited to addressing **(a)** recent orders from the Acting Director that bear directly on Petitioner's response arguments and the issues presented here (*iRhythm Techs., Inc. v. Welch Allyn, Inc.*, IPR2025-00363 (et al.) Paper 6 (June 6, 2025), *Tessell, Inc. v. Nutianix, Inc.*, IPR2025-00322, Paper 14, 2–3 (June 12, 2025), and/or *Dabico Airport Solutions Inc. v. AXA Power ApS*, IPR2025-00408, Paper 12 (June 18, 2025); and **(b)** Petitioner's new arguments about the License Agreement on pages 7 and 9–10.

Patent Owner submits that good cause exists because the three cited orders issued after Patent Owner submitted its requests for discretionary denial but before Petitioner's opposition. Patent Owner should be permitted to briefly discuss the comparable facts and reasoning as applied to the arguments here. Patent Owner should also be permitted to address inconsistencies between arguments advanced by Petitioner's counsel in this matter and those advanced by same counsel in *iRhythm*. Further, good cause exists to address the License Agreement arguments because Patent Owner misquotes the plain language of that agreement.

The parties have conferred, and Petitioner indicates that it does *not* object to this request, “so long as Petitioner is afforded a response of equal length.” Patent Owner does not oppose that request, either.

Patent Owner states it is prepared to file the proposed reply brief on the next business day after being granted leave to do so.

If necessary, the parties are available for a conference call on the following dates and times:

- Any day and time the week of June 23–27 except for Wednesday the 25th
- Thursday July 3 (any time).

Thank you,

Warren Thomas

Counsel for Patent Owner Number 14 B.V.

Warren Thomas

Principal

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