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Paper 10
Date: May 28, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLE, INC.,
Petitioner,

v.

IMBERATEK, LLC,
Patent Owner.

IPR2025-00578
Patent 7,989,944

Before ERICA SWIFT, *Chief Clerk*.

NOTICE OF REFERRAL TO BOARD PANEL

Under the March 26, 2025, memorandum entitled "Interim Processes for PTAB Workload Management" ("Interim Processes memo"), Patent Owner had the opportunity to file a brief requesting discretionary denial of institution. Interim Processes memo 2.[1] Patent Owner did not file such a brief. Accordingly, this case is referred to a Board panel to consider the

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[1] Available at https://www.uspto.gov/sites/default/files/documents/InterimProcesses-PTABWorkloadMgmt-20250326.pdf.

merits and non-discretionary considerations. *See* FAQs for Interim Processes for PTAB Workload Management, FAQ 9.[2]

[2] Available at https://www.uspto.gov/patents/ptab/faqs/interim-processes-workload-management.

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