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**To:** [ChrisMoulder@perkinscoie.com](mailto:ChrisMoulder@perkinscoie.com); [Trials](#)  
**Cc:** [Fussell, Tripp](#); [FW-CLIENT-Pantech-OnePlus-Service](#); [OnePlus-Pantech-IPRService@perkinscoie.com](mailto:OnePlus-Pantech-IPRService@perkinscoie.com)  
**Subject:** RE: IPR2025-0762: Request for Authorization to File a Preliminary Reply  
**Date:** Friday, September 26, 2025 10:02:10 AM  
**Attachments:** [image001.png](#)

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Counsel,

With regard to the filing date of Deenoo: The Board is familiar with the filing date of PCT applications designating the United States. *See* 35 USC 363. At this time, additional briefing on this legal issue will not be helpful to the Board. As such, Petitioner has not shown good cause for a reply to the preliminary response. *See* 37 CFR 42.108(c).

With regard to the dispute over the teachings of the references: This appears to be a typical dispute between the parties as to the teaching of the prior art. Such a routine dispute is not sufficient to establish “good cause.”

If we institute trial, Petitioner may address these issues in its Reply Brief.

Regards,

Andrew Kellogg,  
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Patent Trial and Appeal Board  
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**From:** ChrisMoulder@perkinscoie.com <ChrisMoulder@perkinscoie.com>  
**Sent:** Tuesday, September 23, 2025 12:12 PM  
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**Subject:** IPR2025-0762: Request for Authorization to File a Preliminary Reply

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Dear Honorable Board,

Petitioner respectfully requests authorization to file a preliminary reply in IPR2025-0762 to address Patent Owner's arguments regarding Deenoo's priority data in the POPR (POPR 14-15). Petitioner makes this request less than two weeks after referral to the Board by the interim Director and believes good cause exists for a preliminary reply because Petitioner could not have anticipated Petitioner's mischaracterization of Deenoo's priority document when it filed its Petition.

Petitioner further requests authorization to address Patent Owner's mischaracterization of the prior art's teachings and application of the references' teachings to the "in-sequence timer" element of claims 1 and 8 (Koskinen alone or combined with Sammour, POPR 11-14; and Deenoo combined with Sammour, POPR 15-17). Petitioner believes good cause exists because, for example, Petitioner could not have anticipated Patent Owner would mischaracterize the relationship between PDCP PDUs and PDCP SDUs.

To avoid including unnecessary argument in this email to the Board, Petitioner does not detail here the specific unanticipated arguments or the merits of them, but Petitioner can discuss these arguments further on a conference call if the Board deems additional detail necessary.

Petitioner requests a 5-page preliminary reply and to file it within ten days of receiving authorization. Petitioner does not oppose Patent Owner being authorized to file a preliminary sur-reply.

Petitioner has conferred with Patent Owner on this request. Patent Owner opposes Petitioner's request, noting that Petitioner has not shown good cause for a reply and that establishing prior art status is Petitioner's burden. *See, e.g., Intelligent Wellhead Systems Inc. v. Downing Wellhead Equipment, LLC*, IPR2024-00256, Paper 11 at 12 n.7 (PTAB June 5, 2024). Patent Owner further notes that routine disputes do not constitute good cause for a reply. *See, e.g., Unified Patents, Inc. v. Uniloc Luxembourg S.A.*, IPR2017-02148, Paper 8 at 3 (PTAB March 14, 2018); *Cree, Inc. v. Optolum, Inc.*, IPR2017-01260, Paper 11 at 1 (PTAB Sept. 13, 2017). If Petitioner's request is granted, Patent Owner requests authorization to file a sur-reply of equal length.

If the Board wishes to have a conference call, the parties can confer and propose times of mutual availability.

Best regards,

**Chris Moulder, PhD**  
**COUNSEL**

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