

From: [Director Discretionary Decision](#)
To: [Christopher Gallo](#); [Director Discretionary Decision](#); [Trials](#)
Cc: [Eldora L. Ellison](#); [Olga A. Partington](#); [Christina Dashe](#); [Kushan, Jeffrey P.](#); [Katzeff, Lauren](#); [Bhatla, Amit](#)
Subject: RE: IPR2025-00808
Date: Friday, June 20, 2025 2:03:51 PM
Attachments: [image001.png](#)
[image002.png](#)

Counsel,

Thank you for your email. The previously granted extension remain in effect and that the referral notice will be expunged.

From: Christopher Gallo <CGALLO@sternekessler.com>
Sent: Friday, June 20, 2025 1:49 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>; Trials <Trials@USPTO.GOV>
Cc: Eldora L. Ellison <EELLISON@sternekessler.com>; Olga A. Partington <OPARTINGTON@sternekessler.com>; Christina Dashe <CDashe@sternekessler.com>; Kushan, Jeffrey P. <jkushan@sidley.com>; Katzeff, Lauren <lkatzeff@sidley.com>; Bhatla, Amit <abhatla@sidley.com>
Subject: IPR2025-00808

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Dear Honorable Board and Director,

On April 29, 2025, Patent Owner and Petitioner jointly requested that all deadlines in the above-captioned IPR proceeding involving U.S. Patent No. 11,938,201 be stayed pending a decision on discretionary denial and institution in PGR2025-00012, involving the same patent. In the joint request, the parties requested, in part, that (1) should PGR2025-00012 be denied institution, the due date in this IPR proceeding for Patent Owner to file a brief pursuant to the Acting Director's Interim Processes for PTAB Workload Management would be deferred to August 29, 2025; and (2) in the event that the Board institutes post-grant review in PGR2025-00012, all deadlines in IPR2025-00808 would remain stayed and within 5 business days of such institution, the Parties will jointly request that the Board terminate IPR2025-00808 without prejudice to Petitioner filing a petition concerning U.S. Patent No. 11,938,201 at a date subsequent to termination of PGR2025-00012, subject to all applicable laws and regulations.

The Director granted that request on May 2, 2025. *See* EX3101 (attached).

Today, the Board entered Paper 6 (attached) in this proceeding referring this case to a Board panel to consider the merits and non-discretionary considerations. Patent Owner writes to request that

the referral to the Board be rescinded in light of the Director having granting the parties' request to stay all deadlines in this proceeding and that the Board confirm that all deadlines in this proceeding are stayed per the parties' granted request.

Petitioner has been copied on this email.

Respectfully,
Christopher Gallo
Back-Up Counsel for Patent Owner



Christopher Gallo, Ph.D. (he/him)
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