

Retley Locke

From: Halverson, Erik J. <Erik.Halverson@klgates.com>
Sent: Thursday, September 11, 2025 12:09 PM
To: Retley Locke; Hill, Rebekah; Lund, Jared R.; Beane, Devon Curtis
Cc: iRhythm-WelchAllyn_IPR
Subject: RE: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

Hi Retley,

In view of the months of time that have passed since Welch Allyn first reached out, causing Welch Allyn to expend significant resources defending against this proceeding, we intend to oppose the motion to withdraw. We've inserted our position into the draft email you previously proposed. If any other changes are made, please send us a draft for review.

Best,
Erik

[Proposed] Email to the Board

Re: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

Your Honors:

Petitioner iRhythm Technologies, Inc. ("iRhythm") hereby requests permission from the Board to file a motion to withdraw the above-captioned IPR petition, challenging certain claims of U.S. Patent No. 8,630,699. iRhythm believes that withdrawing the Petition at this stage—before the Director issues a decision on discretionary denial—will conserve the resources of the parties and the Board. Petitioner has conferred with counsel for Patent Owner Welch Allyn, Inc., and Patent Owner does not oppose Petitioner's request for leave to file a motion, but does respectfully oppose the motion to withdraw. iRhythm's prior petitions against similarly situated patents were previously denied and when Patent Owner requested iRhythm withdraw its petition in this proceeding in early June, Patent Owner's requests were ignored. By ignoring Patent Owner's request, Patent Owner was forced to spend significant time and resources defending against the Petition and it now seeks a decision on these efforts.

Thank you for your time and consideration.

K&L GATES

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From: Retley Locke <RLocke@fenwick.com>
Sent: Wednesday, September 10, 2025 7:35 AM

To: Halverson, Erik J. <Erik.Halverson@klgates.com>; Hill, Rebekah <Rebekah.Hill@klgates.com>; Lund, Jared R. <Jared.Lund@klgates.com>; Beane, Devon Curtis <Devon.Beane@klgates.com>
Cc: iRhythm-WelchAllyn_IPR <iRhythm-WelchAllyn_IPR@fenwick.com>
Subject: RE: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

Counsel:

If Welch Allyn will consent to the motion to withdraw, iRhythm will stipulate that it will not file additional IPR petitions challenging the validity of the '699 patent. For the avoidance of doubt, iRhythm reserves all rights to challenge the validity of the '699 patent through any means other than IPR.

Please let us know if Welch Allyn will consent to the motion to withdraw the petition in view of this representation or advise whether iRhythm should prepare and file an opposed motion.

Regards,

Retley G. Locke, Jr.

[Fenwick](#) | Associate | +1 212-970-5911 | RLocke@fenwick.com

From: Halverson, Erik J. <Erik.Halverson@klgates.com>
Sent: Tuesday, September 9, 2025 3:05 PM
To: Retley Locke <RLocke@fenwick.com>; Hill, Rebekah <Rebekah.Hill@klgates.com>; Lund, Jared R. <Jared.Lund@klgates.com>; Beane, Devon Curtis <Devon.Beane@klgates.com>
Cc: iRhythm-WelchAllyn_IPR <iRhythm-WelchAllyn_IPR@fenwick.com>
Subject: RE: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

**** EXTERNAL EMAIL ****

Counsel,

Any update or response to the below email? As you know, iRhythm's discretionary denial paper and Welch Allyn's POPR are both due in a little over two weeks.

Best,
Erik



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From: Halverson, Erik J.
Sent: Thursday, September 4, 2025 12:05 PM
To: Retley Locke <RLocke@fenwick.com>; Hill, Rebekah <Rebekah.Hill@klgates.com>; Lund, Jared R. <Jared.Lund@klgates.com>; Beane, Devon Curtis <Devon.Beane@klgates.com>
Cc: iRhythm-WelchAllyn_IPR <iRhythm-WelchAllyn_IPR@fenwick.com>
Subject: RE: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

Hi Retley,

We first reached out to iRhythm regarding withdrawing this Petition in June, before the parties committed any resources to this proceeding. That request was ignored for almost three months, thereby requiring Welch Allyn to expend significant resources defending this proceeding. Given the passage of time and energy spent, we are evaluating whether we can agree to the request. One point that will be helpful for us to understand while we evaluate, given iRhythm's one-year bar has yet to pass for the '699 Patent, would iRhythm be willing to provide a written guarantee in the form of a stipulation or some other format, confirming that iRhythm will not challenge the '699 Patent a second time?

Happy to hop on a quick call to discuss if it would be helpful?

Best,
Erik



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From: Retley Locke <RLocke@fenwick.com>
Sent: Wednesday, September 3, 2025 8:54 AM
To: Halverson, Erik J. <Erik.Halverson@klgates.com>; Hill, Rebekah <Rebekah.Hill@klgates.com>; Lund, Jared R. <Jared.Lund@klgates.com>; Beane, Devon Curtis <Devon.Beane@klgates.com>
Cc: iRhythm-WelchAllyn_IPR <iRhythm-WelchAllyn_IPR@fenwick.com>
Subject: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

Counsel:

iRhythm intends to seek authorization from the Board to file a motion to withdraw the pending *inter partes* review petition for U.S. Patent No. 8,630,699. A proposed email to the Board is included below. Please let us know if Welch Allyn consents to iRhythm's motion.

Regards,

Retley G. Locke, Jr.
[Fenwick](#) | Associate | +1 212-970-5911 | RLocke@fenwick.com

* * *

[Proposed] Email to the Board

Re: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

Your Honors:

Petitioner iRhythm Technologies, Inc. ("iRhythm") hereby requests permission from the Board to file a motion to withdraw the above-captioned IPR petition, challenging certain claims of U.S. Patent No. 8,630,699. iRhythm believes that withdrawing the Petition at this stage—before the Director issues a decision on discretionary denial—will conserve the resources of the parties and the Board. Petitioner has conferred with counsel for Patent Owner Welch Allyn, Inc., and Patent Owner [has indicated that it does not oppose this motion].

Thank you for your time and consideration.

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