

From: [Trials](#)
To: [Robert Counihan](#); [Trials](#)
Cc: [Halverson, Erik J.](#); [Hill, Rebekah](#); [Lund, Jared R.](#); [iRhythm-WelchAllyn_IPR](#)
Subject: RE: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081
Date: Wednesday, October 1, 2025 1:11:06 PM
Attachments: [image001.png](#)

Counsel,

The Board apologizes for the delay. Petitioner's request for authorization to file the motion is granted. The motion should be filed no later than October 8 and any opposition should be filed no later than October 15. No reply is authorized.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Robert Counihan <rcounihan@fenwick.com>
Sent: Wednesday, September 24, 2025 3:38 PM
To: Trials <Trials@USPTO.GOV>
Cc: Halverson, Erik J. <erik.halverson@klgates.com>; Hill, Rebekah <rebekah.hill@klgates.com>;
Lund, Jared R. <jared.lund@klgates.com>; iRhythm-WelchAllyn_IPR <iRhythm-WelchAllyn_IPR@fenwick.com>
Subject: RE: iRhythm Technologies, Inc. v. Welch Allyn, Inc., Case IPR2025-01081

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Your Honors:

On behalf of Petitioner iRhythm Technologies, Inc. ("iRhythm"), I write in furtherance of my email last week regarding iRhythm's request to file a Motion to Withdraw the above-captioned IPR petition. I also write to notify Your Honors that iRhythm's Opposition to Patent Owner's Motion for Discretionary Denial is due tomorrow, September 25 and, because iRhythm seeks to withdraw the Petition, iRhythm does not expect to submit an

Opposition.

Per below, please advise whether iRhythm may file its Motion to Withdraw, a filing that Patent Owner does not oppose (although Patent Owner does oppose the Motion itself, as stated below).

Best,

Robert Counihan

Fenwick | Partner | (O) 212-430-2748 | (M) 917-880-6137 | rcounihan@fenwick.com

From: Robert Counihan

Sent: Friday, September 19, 2025 10:21 AM

To: Trials <trials@uspto.gov>

Cc: Halverson, Erik J. <erik.halverson@klgates.com>; Hill, Rebekah <rebekah.hill@klgates.com>; Lund, Jared R. <jared.lund@klgates.com>; iRhythm-WelchAllyn_IPR <iRhythm-WelchAllyn_IPR@fenwick.com>

Subject: 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’s position is as follows:

“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 request was 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 reflecting the papers that have been prepared and filed.”

In response, Petitioner believes that the same outcome would result from denying the petition on discretionary grounds and withdrawing the petition. iRhythm therefore respectfully asks that the Board grant its request to file its motion to withdraw, and then grant that motion.

Thank you for your consideration.

Sincerely,
Robert Counihan

Counsel for Petitioner iRhythm Technologies, Inc.

Robert Counihan

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