

From: [Director Discretionary Decision](#)
To: [Jay Kesan](#); [Director Discretionary Decision](#)
Cc: [Paul Hart](#); [Hunter Horton](#); [Adam Seitz](#); [achan](#); [Cochran, Andrew](#); [She Jia](#); [Henning Schmidt](#); [Andrew Dallmann](#); [Cecil Key](#)
Subject: RE: CrowdStrike, Inc. v. Skysong, Inc., IPR2025-01170 ('897 Patent), Authorization to File a Reply Brief in Discretionary Denial Briefing
Date: Thursday, November 20, 2025 7:13:35 AM

Patent Owner is authorized to file a 5-page reply in IPR2025-01170, due no later than Monday, November 24, 2025, limited to addressing the arguments raised below. Petitioner is authorized to file a 5-page sur-reply, due no later than Friday, November 28, 2025.

From: Jay Kesan <jay.kesan@kkd-law.com>
Sent: Wednesday, November 19, 2025 3:22 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Cc: Paul Hart <paul.hart@eriseip.com>; Hunter Horton <hunter.horton@eriseip.com>; Adam Seitz <adam.seitz@eriseip.com>; achan <achan@cahill.com>; Cochran, Andrew <acochran@cahill.com>; She Jia <she.jia@kkd-law.com>; Henning Schmidt <henning.schmidt@kkd-law.com>; Andrew Dallmann <andrew.dallmann@kkd-law.com>; Cecil Key <cecil.key@kkd-law.com>
Subject: CrowdStrike, Inc. v. Skysong, Inc., IPR2025-01170 ('897 Patent), Authorization to File a Reply Brief in Discretionary Denial Briefing

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To the Director:

Patent Owner writes to seek authorization to file a Reply Brief to respond to Petitioner's Response to Patent Owner's Request for Discretionary Denial of this IPR.

Patent Owner has conferred with Petitioner's Counsel, and if the Director approves, both sides have agreed to file a Reply and a Sur-Reply respectively, each brief being limited to 5 pages and with 5 business days turnaround for each brief starting from the day after the Director approves this briefing request.

Patent Owner believes that "good cause" exists to seek this authorization to file a Reply. For instance, the Petitioner's Response to Patent Owner's Request for Discretionary Denial raises issues for the first time that were not found in its IPR Petition; presents incomplete statistics regarding motions that it has brought in District Court; and Defendant CrowdStrike has recently submitted invalidity contentions in the District Court case, subsequent to Patent Owner's Request for Discretionary Denial.

In our Reply, we will address the following points:

1. The Patent Office did not err in its decision to grant the '897 Patent, including addressing Sec. 325(d) and the prior art reference, *Sabottke*.
2. Petitioner presents incomplete (or not directly on point) statistics regarding the likelihood of granting a motion to stay, a motion to transfer, and the time to trial in District Court in the WDTX.
3. Defendant CrowdStrike's invalidity contentions in District Court were served on Nov. 6th after Patent Owner filed its Request for Discretionary Denial. Our Reply will note that these invalidity contentions for the '897 Patent in District Court include the same prior art references that Petitioner has relied on in this IPR.
4. Petitioner's *Sotera* stipulation is limited and allows them to use the same prior art references in District Court if this IPR is not instituted.

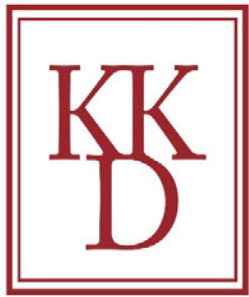
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5. Petitioner raised the point about the '897 Patent not being commercialized in its Response Brief. We will present information showing that the '897 Patent was in fact commercialized.

Sincerely,

/s/ Jay P. Kesan, Reg. No. 37,488

Counsel for Patent Owner, Skysong Innovations

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