

From: [Director Discretionary Decision](#)
To: [Richard M. Bemben](#); [Gregory Cordrey](#); [Director Discretionary Decision](#)
Cc: [Stan M. Gibson](#); [Christopher O'Brien](#); [Rob Sokohl](#); [Timothy L. Tang](#); [PTAB Account](#)
Subject: RE: Apple Inc. v. 1LSS, Inc. [IPR2025-01180, Patent No. 11,864,641]
Date: Friday, November 21, 2025 10:56:26 AM
Attachments: [image001.png](#)
[image002.png](#)

Patent Owner is authorized to file a 5-page reply in IPR2025-01180, due no later than Tuesday, November 25, 2025, limited to addressing the arguments raised below. Petitioner is authorized to file a 5-page sur-reply, due no later than Monday, December 1, 2025.

From: Richard M. Bemben <RBEMBEN@sternekessler.com>
Sent: Thursday, November 20, 2025 7:00 PM
To: Gregory Cordrey <GCordrey@JMBM.com>; [Director_Discretionary_Decision](#) <[Director_Discretionary_Decision@uspto.gov](#)>
Cc: Stan M. Gibson <SMG@JMBM.com>; Christopher O'Brien <COBrien@sternekessler.com>; Rob Sokohl <RSOKOHL@sternekessler.com>; Timothy L. Tang <TTang@sternekessler.com>; PTAB Account <PTAB@sternekessler.com>
Subject: RE: Apple Inc. v. 1LSS, Inc. [IPR2025-01180, Patent No. 11,864,641]

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Director Squires,

1LSS's email does not accurately reflect Apple's position. First, we do not believe that the reasons 1LSS provided establish good cause for additional briefing. The first three reasons amount to general disagreement with Apple's arguments in its papers. Regarding the fourth, Apple was not required to seek leave to address the arguments that 1LSS presented in its DD brief and POPR, both of which were filed before Apple's Opposition was due on November 14th.

Regardless, Apple informed 1LSS that it would not oppose a request for five pages of additional briefing on the following conditions: (1) 1LSS agrees to acknowledge in their briefing that the Fintiv analysis has changed because of yesterday's stay of the co-pending litigation (see attached) and (2) Apple receives authorization to file a five-page sur-reply addressing the issues that 1LSS raises, including the stay.

Thus, Apple does not oppose 1LSS's request so long as briefing is limited to 5 pages, and Apple is authorized to file a sur-reply to respond to 1LSS's arguments and to address yesterday's stay in the co-pending litigation.

Respectfully,
Richard Bemben
Lead counsel for Petitioner

Richard M. Bemben

Director, Co-Chair of PTAB Practice

Direct: 202.772.8549

Administrative Assistant: Maya Bennett

Main: 202.371.2600 **Direct:** 202.772.8843

From: Gregory Cordrey <GCordrey@JMBM.com>

Sent: Thursday, November 20, 2025 6:16 PM

To: Director_Discretionary_Decision@uspto.gov

Cc: Stan M. Gibson <SMG@JMBM.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Christopher O'Brien <COBrien@sternekessler.com>; Rob Sokohl <RSOKOHL@sternekessler.com>; Timothy L. Tang <TTang@sternekessler.com>; PTAB Account <PTAB@sternekessler.com>

Subject: Apple Inc. v. 1LSS, Inc. [IPR2025-01180, Patent No. 11,864,641]

EXTERNAL EMAIL: Use caution before clicking links or attachments.

Dear Director,

In accordance with the Interim Director Discretionary Process, Patent Owner requests leave to file a short (5-page) Reply in support of its Request for Discretionary Denial in the above-referenced proceeding to address the parties' arguments under Section 325(d).

Good cause exists for granting Patent Owner's requested Reply because the following facts and arguments are relevant to the Director's analysis under the *Advanced Bionics* framework:

1. To address Petitioner's alleged distinction between the prior art Gluck reference, which was before the examiner and Board, with Petitioner's new art (Goto), including identifying express teachings in Gluck that refute Petitioner's arguments in opposition.
2. To address Petitioner's alleged distinction between the prior art folio-cover of Schmidt that was before the examiner and the cited folio covers of Zhu and Kinshi that were cited in the petition, including that such arguments raised in Petitioner's opposition rely upon an incorrect interpretation of the relevant claim limitations.
3. To address Petitioner's incorrect assertion in its opposition that during prosecution Patent Owner conceded that the Baca prior art discloses certain claim limitations.
4. To address Petitioner's arguments in its opposition replying to issues raised in Patent Owner's Preliminary Response, which Petitioner submitted without first seeking leave to file a reply to the POPR.

The parties have met and conferred over Patent Owner's request and Petitioner opposes Patent Owner's request.

Counsel for Petitioner is copied.

Sincerely,

Greg Cordrey

Reg. No. 44,089

Lead Counsel for Patent Owner

Gregory S. Cordrey | Partner

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