

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS
AMERICA, INC., FOSSIL GROUP, INC., FOSSIL STORES I, INC., FOSSIL
PARTNERS, L.P., OURA HEALTH OY, AND ONEPLUS TECHNOLOGY
(SHENZHEN) CO., LTD.,

Petitioners,

v.

OMNI MEDSCI, INC.,
Patent Owner.

Patent No. 9,055,868

Case No. IPR2025-01249

PATENT OWNER'S DISCRETIONARY DENIAL BRIEF

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	THE <i>FINTIV</i> FACTORS FAVOR DISCRETIONARY DENIAL	3
A.	Factor 1 Weighs Against Institution	3
B.	Factor 2 Weighs Against Institution	5
C.	Factor 3 Weighs Against Institution	5
D.	Factor 4 Weighs Against Institution	7
E.	Factor 5 Weighs Against Institution	9
F.	Factor 6 Weighs Against Institution	9
III.	THE TEXAS CASE WILL MOST EFFICIENTLY RESOLVE THE PARTIES’ ENTIRE DISPUTE	13
IV.	SETTLED EXPECTATIONS FAVOR DISCRETIONARY DENIAL	14
V.	CONCLUSION.....	15

TABLE OF AUTHORITIES

Page(s)

Cases

<i>Apple Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020).....	1, 2, 3, 5, 6, 7, 9, 12
<i>General Plastic Co., Ltd. v. Canon Kabushiki Kaishaat</i> , IPR2016-01357, Paper 19 (PTAB Sept. 6, 2017).....	13, 14
<i>iRhythm Techs., Inc. v. Welch Allyn, Inc.</i> , IPR2025-00363, Paper 10 (PTAB Jun. 6, 2025).....	15
<i>Lionra Techs. Ltd. v. Cisco Sys., Inc.</i> , No. 2:24-CV-00097-JRG, 2025 WL 1239317 (E.D. Tex. Apr. 29, 2025)	4
<i>Motorola Sols., Inc. v. Stellar, LLC</i> , IPR2024-01205, Paper 19 (PTAB Mar. 28, 2025).....	9
<i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP	1
<i>Samsung Elecs. Co., Ltd. v. Headwater Rsch. LLC</i> , IPR2025-00482, Paper 15 (PTAB July 24, 2025).....	9

LISTING OF EXHIBITS

Exhibit No.	Description
2001	Complaint, <i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP (E.D. Tex.) (Dec. 20, 2024)
2002	Samsung, Fossil, and Oura's Invalidity Contentions Cover Document and Charts for the '868 Patent, <i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP (E.D. Tex.) (June 3, 2025)
2003	OnePlus's Invalidity Contentions Cover Document and Charts for the '868 Patent, <i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP (E.D. Tex.) (Sept. 30, 2025)
2004	Omni MedSci's Infringement Contentions Cover Document, <i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP (E.D. Tex.) (Mar. 12, 2025)
2005	Samsung, Fossil, and Oura's Motion to Stay, <i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP (E.D. Tex.) (Aug. 27, 2025)
2006	Order Denying Motion to Stay, <i>Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.</i> , 2:24-cv-01070-JRG-RSP (E.D. Tex.) (Aug. 29, 2025)
2007	Docket Navigator Statistics for District Judge James Rodney Gilstrap
2008	Lex Machina Statistics for District Judge James Rodney Gilstrap

2009	Model Order Focusing Patent Claims and Prior Art to Reduce Costs (E.D. Tex.)
2010	Patent Assignment Record for U.S. Patent Application No. 719,601 (U.S. Patent No. 5,891,022)

Pursuant to the March 26, 2025 Memorandum entitled “Interim Processes for PTAB Workload Management” (“Director Memo”), Patent Owner Omni MedSci, Inc. (“Patent Owner”) respectfully requests that the Director exercise his discretion and deny institution of the Petition (Paper 1) challenging claims 7-11 and 13-14 of U.S. Patent No. 9,055,868 (“the ’868 Patent”).

I. INTRODUCTION

The parties are engaged in litigation involving the ’868 Patent in *Omni MedSci, Inc. v. Samsung Electronics Co. Ltd. et al.*, 2:24-cv-01070-JRG-RSP, in the Eastern District of Texas (“the Texas Case”). Each of the factors in the Board’s precedential *Fintiv* decision weigh in favor of denying institution in view of the advanced stage of the Texas Case. The district court already denied Petitioners’ motion to stay. By the time the Board decides whether to institute an IPR, the parties will have completed claim construction briefing and the *Markman* hearing will be just days away. Most importantly, a jury trial in the Texas Case is scheduled nearly 6 months before the Board’s deadline to issue a final written decision (“FWD”) if an IPR is instituted.

Recognizing that these facts weigh strongly in favor of denying institution, Petitioners offer a *Sotera* stipulation, but this will not simplify the issues in the Texas Case because their invalidity contentions are more expansive than the Petition and rely on extensive alleged product prior art. Petitioners also argue (incorrectly) that

the merits of the Petition are strong based on Petitioners' primary reference, but this does not outweigh the other *Fintiv* factors. Petitioners' invalidity arguments can, and in fact will, be addressed in the Texas Case well before the Board would issue a FWD concerning the '868 Patent.

The Texas Case also concerns six additional patents. As set forth below, this Petition is one of eight filed by Petitioners that challenge the asserted patents:

Case No.	Patent No.	Institution Deadline
<i>IPR2025-01249</i>	<i>9,055,868</i>	<i>February 9, 2026</i>
IPR2025-01250	9,651,533	February 9, 2026
IPR2025-01251	10,874,304	February 12, 2026
IPR2025-01252	11,160,455	February 12, 2026
IPR2025-01253	12,193,790	February 12, 2026
IPR2025-01254	12,268,475	February 12, 2026
PGR2025-00063	12,268,475	February 12, 2026
PGR2025-00064	12,193,790	February 12, 2026

Petitioners challenge 59 claims across these patents even though only 32 of those claims are asserted in the Texas Case. The Director should exercise his discretion to deny these petitions (including this one) because it would be far more efficient to conduct one proceeding—the Texas Case—to resolve the parties' disputes, rather than eight additional proceedings in the Office.

Finally, settled expectations favor discretionary denial. The '868 Patent issued nearly 11 years ago. Petitioner Samsung has known about the '868 Patent for more than 8 years.

II. THE *FINTIV* FACTORS FAVOR DISCRETIONARY DENIAL

The Board considers six factors to determine whether to deny institution based on one or more parallel proceedings:

1. whether the court granted a stay or evidence exists that one may be granted if a proceeding is instituted;
2. proximity of the court's trial date to the Board's projected statutory deadline for a final written decision;
3. investment in the parallel proceeding by the court and the parties;
4. overlap between issues raised in the petition and in the parallel proceeding;
5. whether the petitioner and the defendant in the parallel proceeding are the same party; and
6. other circumstances that impact the Board's exercise of discretion, including the merits.

Apple Inc. v. Fintiv, Inc., IPR2020-00019, Paper 11 at 5-6 (PTAB Mar. 20, 2020) (precedential). “[I]n evaluating the factors, the Board takes a holistic view of whether efficiency and integrity of the system are best served by denying or instituting review.” *Id.* at 6. Each of these factors weigh in favor of denying institution in view of the Texas Case.

A. Factor 1 Weighs Against Institution

The first *Fintiv* factor weighs against institution because the district court has not granted a stay, nor is there evidence that one may be granted. *Fintiv*, Paper 11 at 7-8. On August 27, 2025, Petitioners moved to stay the Texas Case based on their

IPRs. EX2005. On August 29, 2025, before Patent Owner filed its opposition, the district court *sua sponte* denied the motion as “premature.” EX2006.

It is unlikely that the Texas Case will be stayed even if the Board institutes an IPR. EX2007 (showing 21% grant rate for stay requests). In the Eastern District of Texas, courts have denied post-institution motions to stay where the stay will “unduly prejudice the nonmoving party” and will not likely result in “simplifying the case before the court.” See *Lionra Techs. Ltd. v. Cisco Sys., Inc.*, No. 2:24-CV-00097-JRG, 2025 WL 1239317, at *1 (E.D. Tex. Apr. 29, 2025) (Gilstrap, J.) (quoting *NFC Tech. LLC v. HTC Am., Inc.*, No. 2:13-CV-1058-WCB, 2015 WL 1069111, at *2 (E.D. Tex. Mar. 11, 2015)). In *Lionra*, the court reasoned that “the PTAB’s final written decision, which could be subject to further appeals, is not due until a date more than five months after the jury trial is set to begin. Such a delay would prejudice Plaintiff’s ability to vindicate its patent rights.” *Id.* at *2. The court also noted that it was “far from a certainty” that the IPR would simplify the issues of the case, including because “the IPR only cover[ed] a portion of Defendant’s invalidity arguments.” *Id.* at *4.

By the time the Board issues an institution decision in February 2026, the parties will have already completed claim construction briefing, will be just days away from the *Markman* hearing (scheduled for February 13, 2026), and will be just weeks away from the close of fact discovery (March 30, 2026). *Infra*, §II.C. Any

FWD would not be due until nearly 6 months after the jury trial. *Infra*, §II.B. On these facts, a post-institution stay is exceedingly unlikely in the Texas Case, and this factor strongly weighs against institution.

B. Factor 2 Weighs Against Institution

“If the court’s trial date is earlier than the projected statutory deadline, the Board generally has weighed this [second] factor in favor of exercising authority to deny institution.” *Fintiv*, Paper 11 at 9. The projected statutory deadline for issuing a FWD for this IPR, if instituted, is February 8, 2027. Jury selection for the Texas Case is scheduled to begin nearly six months prior on August 17, 2026. EX1020.

The scheduled trial date is in line with the median time-to-trial statistics in the Eastern District of Texas: over the last ten years, the median time to trial for Judge Gilstrap’s patent cases is 637 days. EX2008. The current August 17, 2026 trial date is 606 days from the Complaint’s filing date, December 20, 2024. Using the median time to trial, the projected trial date would be September 18, 2026, which would still be nearly five months before the projected FWD deadline. Thus, this factor strongly weighs against institution.

C. Factor 3 Weighs Against Institution

The third factor concerns “the amount and type of work already completed in the parallel litigation by the court and the parties and the time of the institution decision.” *Fintiv*, Paper 11 at 9. Here, both the district court and the parties have

invested substantial time and resources in the Texas Case and will continue to do so before any institution decision. As of the filing of this brief, the parties have negotiated a Docket Control Order regarding scheduling, engaged in motion practice, and have commenced fact discovery, including serving and responding to dozens of interrogatories and hundreds of requests for production. EX1020. The parties have also already exchanged thousands of pages of infringement contentions and invalidity contentions. *See* EX2004; EX2002; EX2003.

By the time the Board decides whether to institute an IPR in February 2026, even more work will have been completed: the parties will have substantially completed their document productions and completed *Markman* briefing in January 2026, and a *Markman* hearing is scheduled on February 13, 2026. EX1020. The Texas Case will be at a very advanced stage by the time the Board issues an institution decision.

The timing of the Petition is also considered under the third *Fintiv* factor: if “the petitioner did not file the petition expeditiously ... or even if the petitioner cannot explain the delay in filing its petition, these facts have favored denial.” *Fintiv*, Paper 11 at 11-12. Here, Samsung waited more than **8 years** to challenge the '868 Patent after it was notified of its existence. *Infra*, § IV; EX2001, ¶¶110-25. To the extent Samsung argues that it was justified in waiting to challenge the '868 Patent until it was sued for infringement, Petitioners still waited more than **seven months**

after the filing of the Complaint to file their Petition. EX2001. Accordingly, this factor weighs against institution.

D. Factor 4 Weighs Against Institution

Under factor 4, “concerns of inefficiency and the possibility of conflicting decisions [are] particularly strong” where a petition “includes the same or substantially the same claims, grounds arguments, and evidence as presented in the parallel proceeding.” *Fintiv* at 13. That is precisely the case here. Petitioners’ invalidity contentions in the Texas Case challenge claims 7-9 of the ’868 Patent. EX2002, 2-3; EX2003, 3. The Petition challenges claims 7-9¹ as well. Pet., 7. Petitioners’ invalidity contentions in the Texas Case also cite “Mault,” “Mitsui,” and “Pologe” as prior art against the ’868 Patent, just like the Petition. EX2002, 9; EX2003, 9 (the invalidity contentions refer to Mitsui as “Shigeki”); Pet., 6-7. Notably, Pologe “relates in general to systems for performing photoplethysmographic measurements and is particularly apt for use in *pulse oximetry systems*” and is assigned to “Datex-Ohmeda.” EX1006, 5 (emphasis added); EX2010, 1-2. Petitioners’ invalidity contentions also rely on “[p]ulse oximeters or similar products publicly disclosed, used, sold, or offered for sale by

¹ Patent Owner served its infringement contentions identifying asserted claims from the ’868 Patent before Petitioners filed the Petition. EX2004.

Datex-Ohmeda.” EX2002, 11; EX2003, 11. Similarly, Kiani claims “a number of improvements that can be incorporated into a *pulse oximeter* probe.” and is assigned to “Masimo.” EX1007, 1 (emphasis added). Petitioners’ invalidity contentions also rely on “[p]ulse oximeters or similar products publicly disclosed, used, sold, or offered for sale by Masimo.” EX2002, 9; EX2003, 10. Thus, the Petition includes substantially the same claims, grounds, evidence, and arguments as the Texas Case.

Petitioners’ invalidity contentions in the Texas Case are more expansive than the Petition. They assert invalidity based on *thirty* alleged prior art systems and inventions and *ten* patents and printed publications (including Mault, Mitsui, and Pologe). EX2002, 9-11; EX2003, 9-11. Petitioners state that each Asserted Claim “is rendered obvious by combination with one or more other prior art references identified” in the invalidity contentions, yielding an untold number of possible combinations. EX2002, 47; EX2003, 52-53. Petitioners’ invalidity contentions also assert invalidity based on lack of written description, lack of enablement, indefiniteness, and subject matter ineligibility. EX2002, 192-195; EX2003, 225-228.

Contrary to their suggestion, Petitioners’ *Sotera* stipulation does not ensure that there will be no overlapping issues between an instituted IPR and the Texas Case. Pet., 13. Petitioners’ stipulation is limited to patents and printed publications and does not prevent Petitioners from using product/system prior art in the Texas Case if an IPR is instituted. Pet., 15. There are *30* alleged prior art products/systems

identified in Petitioners' invalidity contentions in the Texas Case. EX2002, 9-11; EX2003, 9-11. As noted above, there is a substantial risk of overlapping issues because Petitioners rely on alleged product prior art from Covidien, which corresponds to the primary Lisogurski reference in the Petition.

The Board has denied institution of petitions accompanied by a *Sotera* stipulation where, as here, the "Petitioner's invalidity arguments in the district court are more expansive" than the petition. *Motorola Sols., Inc. v. Stellar, LLC*, IPR2024-01205, Paper 19 at 3-4 (PTAB Mar. 28, 2025) (vacating institution decision despite *Sotera* stipulation). In fact, the Director has previously denied institution for a petition accompanied by a substantively identical stipulation as the one offered by Petitioners. *Samsung Elecs. Co., Ltd. v. Headwater Rsch. LLC*, IPR2025-00482, Paper 15 at 2 (PTAB July 24, 2025); *compare* Pet., 15 (Petitioners' stipulation) *with* EX2013, 11 (substantively identical stipulation).

E. Factor 5 Weighs Against Institution

This factor weighs against institution because Petitioners are the defendants in the Texas Case. EX2001; *Fintiv*, Paper 11 at 13-14.

F. Factor 6 Weighs Against Institution

Petitioners argue that Factor 6 weighs in favor of institution because "[t]he primary reference, **Mault**, discloses all aspects of the claimed diagnostic system." Pet., 16. However, Mault does not disclose all elements of independent claim 7,

which means that it necessarily does not disclose all elements of the challenged claims that depend on claim 7.

As one example of the shortcomings in the Petition on the merits,² claim 7 requires “a host comprising ... control logic at the host to process at least the portion of the wireless data to generate a status of the user.” EX1001, 24:59-63. For this limitation, the Petition relies on Mault's description of a “computer expert system,” “computer expert system analysis,” and “feedback.” Pet., 37-39 (citing EX1004, ¶¶[0074], [0077], [0136], [0201]). None of these cited paragraphs disclose that the “computer expert systems” processes the claimed wireless data to generate a status of the user as required in claim 7. For example, paragraph [0074] merely states that “the glucose sensor transmits the blood glucose level data to the PDA using a wireless communication protocol.” EX1004, ¶[0074].

Paragraph [0077] of Mault states that “[f]eedback, generated by a specialist or computer expert system, may be transmitted to the PDA from the remote computer over the communications network.” EX1004, ¶[0077]. However, Mault does not explain what the “computer expert system” is, nor does it disclose that it

² Patent Owner will address the merits of the Petition more fully in its forthcoming Preliminary Patent Owner Response. Nothing herein should be construed as an admission that there are not other arguments for patentability.

processes the claimed wireless data “to generate a status of the user” as required by claim 7 of the '868 Patent. Petitioners argue that the “computer expert system” in Mault “performs ‘computer expert system analysis’ to process the stored ‘physiologic data,’” but Mault does not disclose how the “computer expert system analysis” is performed. Pet., 38-39. Indeed, paragraph [0079] contains the only mention of “computer expert system analysis” where it states: “[a] remote server system 56 ... can be used to store a database of physiological parameters, activity, and diet relating to the person, for medical, nutritional, or computer expert system analysis.” EX1004, ¶[0079]. Again, Mault provides no details on what “computer expert system analysis” refers to, let alone disclose that this “generate[s] a status of the user” based on wireless data as recited in claim 7.

Petitioners’ remaining citations to Mault for this requirement in limitation [7.f] do not cure this deficiency. Paragraph [0136] relates to FIG. 15 of Mault, which illustrates “a possible presentation on a screen or display of a computing device used to provide feedback to the person” including calculated blood glucose values. EX1004, ¶[0136]. But even if this “feedback” constitutes a status of a user as claimed, Mault does not disclose that the “feedback” in FIG. 15 is generated by control logic at the host by processing wireless data as claimed. *Id.* Paragraph [0201] spans nearly two columns and similarly does not disclose “a host

comprising ... control logic at the host to process at least the portion of the wireless data to generate a status of the user.” EX1004, ¶[0201].

Petitioners provide a conclusory obviousness argument for the “storing at least a portion of the wireless data” element within limitation [7.f]. Pet., 37 (“A POSITA would have ... found obvious, that the remote server’s database is a digital file that stores the ‘physiological data,’ including the ‘blood glucose readings’”), 38 (“A POSITA would have ... found it obvious, that in order to display the status of the person’s calculated blood glucose level, the status information would have been recorded in a memory storage device”). However, Petitioners do not provide an alternative obviousness argument for the “control logic at the host to process at least the portion of the wireless data to generate a status of the user” requirement in limitation [7.f]. *Id.*, 37-43.

Moreover, even if Petitioners were correct that *Fintiv* Factor 6 weighed in favor of institution (which it does not), this still does not outweigh the other *Fintiv* factors discussed above. The Board takes a “holistic view of whether efficiency and integrity of the system are best served by denying or instituting review.” *Fintiv*, Paper 11 at 6. In *Samsung Elecs. Co., Ltd., v. Sionyx, LLC*, the Board discretionarily denied institution despite “the strong merits of the Petition” and a *Sotera* stipulation because “the proximity of the trial date as well as the investment and overlapping issues and parties in the district court case.” IPR2025-00064, Paper 16 at 21 (PTAB

June 6, 2025). Similarly, the fact that the jury trial in the Texas Case will occur several months before a FWD heavily weighs in favor of discretionary denial.

III. THE TEXAS CASE WILL MOST EFFICIENTLY RESOLVE THE PARTIES' ENTIRE DISPUTE

As noted above, this Petition is one of eight IPR/PGR challenges to six utility patents that are asserted in the Texas Case. If each of the eight petitions is instituted, the Board would need to issue eight final written decisions, which will only resolve the parties' disputes for these patents if the Board finds that *every* asserted claim in the Texas Case is unpatentable.

By contrast, the Texas Case will resolve not only the parties' dispute regarding the '868 Patent but *all* of the parties' disputes for all six patents in a single proceeding. Congress designed IPRs "to provide an effective and efficient *alternative* to district court litigation." *General Plastic Co., Ltd. v. Canon Kabushiki Kaisha*, IPR2016-01357, Paper 19 at 16-17 (PTAB Sept. 6, 2017) (precedential) (emphasis added). In this case, instituting an IPR would merely result in the creation of an *additional* proceeding.

It would be far more efficient to conduct one proceeding (the Texas Case) to resolve the parties' disputes rather than to strain the Office's limited resources in conducting eight proceedings that may not resolve all of the parties' disputes. Notably, Patent Owner is required to narrow the number of asserted claims in the Texas Case prior to trial. EX2009. By the time the parties reach trial, Patent Owner

will be limited to “no more than a total of 16 claims.” *Id.* at 2. Nevertheless, Petitioners would have the Board address the patentability of more than four times that number across the various petitions it has filed. The Board should decline to devote resources to considering claims that will no longer be part of the parties’ disputes by the time of a FWD.

Here, the asserted patents in the Texas Case concern similar subject matter, with five out of the six patents being from the same family. It would be more efficient for these patents to be litigated in the Texas Case.

Patent Owner submits that the Office should decline Petitioners’ request to initiate such piecemeal and duplicitous litigation. It would be less burdensome for the parties to litigate all of their disputes in one proceeding. For these additional reasons, the Director should exercise his discretion to deny institution.

IV. SETTLED EXPECTATIONS FAVOR DISCRETIONARY DENIAL

“Settled expectations of the parties, such as the length of time the claims have been in force[,]” warrant discretionary denial. Director Memo at 2. The ’868 Patent issued on June 16, 2015, nearly 11 years ago. EX1001, 1.

At least one of the Petitioners has known about the ’868 Patent for *years* prior to the Petition. Samsung, whose counsel from the Texas Case is Lead Counsel for this proceeding, knew about the ’868 Patent for more than **8 years** before seeking to challenge its validity. EX2001, ¶¶110-25.

The Director's recent discretionary denial in *iRhythm Techs., Inc. v. Welch Allyn, Inc.*, IPR2025-00363, Paper 10 (PTAB Jun. 6, 2025) is instructive. There, the Director found that "settled expectations favor denial of institution" based on the "Petitioner's awareness of Patent Owner's applications and failure to seek early review of the patents." *Id.* at 3. In *iRhythm*, the petitioner's awareness was shown through a citation in an IDS. Here, Petitioner Samsung similarly had awareness of the '868 Patent due to the efforts of the inventor to notify Samsung. EX2001, ¶¶110-25. Samsung's failure to raise any challenge to the '868 Patent despite being aware of it led Patent Owner to have settled and reasonable expectations that it would not face a challenge to the validity of the '868 Patent.

V. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Director exercise his discretion and deny institution.

Patent No. 9,055,868
IPR2025-01249

Patent Owner's Discretionary Denial Brief

Respectfully submitted,

Dated: October 7, 2025

By: /s/ Jennifer Hayes

Reg. No. 50,845
Nixon Peabody LLP
300 South Grand Avenue, Suite 4100
Los Angeles, CA 90071-3151
Tel. 213-629-6190
Fax 213-629-6001

Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's**

Discretionary Denial Brief was served on October 7, 2025, by email:

James L. Davis, Jr.
Hyun-Joong Kim
Fan (Frances) Zhang
Sheppard, Mullin, Richter & Hampton LLP
1540 El Camino Real Suite 120
Menlo Park, CA 94025
Telephone: (650) 815-2600
Fax: (650) 815-2601
CT-SamsungOmniMedsci@sheppardmullin.com
jdavis@sheppardmullin.com
hykim@sheppardmullin.com
fzhang@sheppardmullin.com

Jasjit S. Vidwan
Robert G. Pluta
MAYER BROWN LLP
1999 K Street, NW
Washington, DC 20006-1101
Tel.: 202.263.3065
JVidwan@mayerbrown.com
RPluta@mayerbrown.com

Jared A. Smith
Ricardo J. Bonilla
FISH & RICHARDSON P.C.
12860 El Camino Real, Suite 400
San Diego, CA 92130
Phone: +1 858-678-4702
Fax: +1 858-678-5099
jasmith@fr.com
rbonilla@fr.com

Patent No. 9,055,868
IPR2025-01249

Patent Owner's Discretionary Denial Brief

Jack Shaw

CHERRY JOHNSON SIEGMUND JAMES PC

8140 Walnut Hill Lane, Suite 105

Dallas, Texas 75231

Tel: 254-732-2242

Fax: 866-627-3509

jshaw@cjsjlaw.com

Counsel for Petitioners

By: /s/ Jennifer Hayes

Counsel for Patent Owner