

From: [Director Discretionary Decision](#)
To: [Quincy Lu](#); [Director Discretionary Decision](#); [Day, Jim x4414](#)
Cc: [Jim Glass](#); [John McKee](#); [Callaway, Daniel x4924](#); [Liaw, Winston x4497](#)
Subject: RE: Dell Technologies Inc. v Cloud Byte LLC, Case IPR2025-01285 (U.S. Patent No. 9,560,177)
Date: Monday, November 10, 2025 10:58:30 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Patent Owner is authorized to file a 3-page reply in IPR2025-01285, due no later than Wednesday, November 12, 2025.

From: Quincy Lu <quincylu@quinnemanuel.com>
Sent: Friday, November 7, 2025 5:53 PM
To: [Director_Discretionary_Decision](#) <Director_Discretionary_Decision@uspto.gov>; [Day, Jim x4414](#) <JDay@fbm.com>
Cc: [Jim Glass](#) <jimglass@quinnemanuel.com>; [John McKee](#) <johnmckee@quinnemanuel.com>; [Callaway, Daniel x4924](#) <DCallaway@fbm.com>; [Liaw, Winston x4497](#) <WLiaw@fbm.com>
Subject: RE: Dell Technologies Inc. v Cloud Byte LLC, Case IPR2025-01285 (U.S. Patent No. 9,560,177)

CAUTION: This email has originated from a source outside of USPTO. PLEASE CONSIDER THE SOURCE before responding, clicking on links, or opening attachments.

Dear Honorable Director,

Patent Owner notes that Petitioners did not confer with Patent Owner about the below request. Petitioners stated they do not oppose a Patent Owner responsive brief. Patent Owner thus also respectfully requests a two-page brief to respond to Petitioner's supplemental brief, and requests that it be due Friday, November 14, 2025.

Respectfully submitted,
Quincy Lu

Quincy Lu
Of Counsel, Quinn Emanuel Urquhart & Sullivan, LLP

From: [Director_Discretionary_Decision](#) <Director_Discretionary_Decision@uspto.gov>
Sent: Friday, November 7, 2025 8:42 AM
To: [Day, Jim x4414](#) <JDay@fbm.com>; [Director_Discretionary_Decision](#) <Director_Discretionary_Decision@uspto.gov>
Cc: [Jim Glass](#) <jimglass@quinnemanuel.com>; [Quincy Lu](#) <quincylu@quinnemanuel.com>; [John McKee](#) <johnmckee@quinnemanuel.com>; [Callaway, Daniel x4924](#) <DCallaway@fbm.com>; [Liaw, Winston x4497](#) <WLiaw@fbm.com>
Subject: RE: Dell Technologies Inc. v Cloud Byte LLC, Case IPR2025-01285 (U.S. Patent No. 9,560,177)

[EXTERNAL EMAIL from director_discretionary_decision@uspto.gov]

Petitioner is authorized to file a 2-page supplemental brief in IPR2025-01285, due no later than Monday, November 10, 2025, limited to addressing the matters raised below.

From: Day, Jim x4414 <JDay@fbm.com>

Sent: Thursday, November 6, 2025 2:08 PM

To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>

Cc: jimglass@quinnemanuel.com; quincylu@quinnemanuel.com; johnmckee@quinnemanuel.com; Callaway, Daniel x4924 <DCallaway@fbm.com>; Liaw, Winston x4497 <WLiaw@fbm.com>

Subject: Dell Technologies Inc. v Cloud Byte LLC, Case IPR2025-01285 (U.S. Patent No. 9,560,177)

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

To Director Discretionary Review:

In IPR2025-01285, Petitioners request leave to file a 2-page supplemental brief in response to Patent Owner's request for discretionary denial (Paper 8) for two reasons: (1) to inform the Director that Patent Owner has dropped all claims under the challenged U.S. Patent No. 9,560,177 in the related district court action and to explain how this information is relevant to—and directly contradicts—certain arguments under the *Fintiv* factors in Patent Owner's request for discretionary denial brief; and (ii) to inform the Director that Petitioners have filed a stipulation (Paper 11) stating that if review is granted in this proceeding Petitioners will not challenge the validity of the '177 Patent under any grounds in the related lawsuit and to explain the relevance of this information to Patent Owner's arguments. Petitioner could not have included this information in its responsive brief (Paper 10) because Patent Owner dropped the '177 Patent claims from the related lawsuit only after Petitioner's responsive brief was filed.

If leave is granted, Petitioners would have no objection to Patent Owner filing a further brief of the same length. While a conference call may not be necessary for this request, Petitioners' counsel can be available at the Director's convenience for a conference call if it would be helpful.

Respectfully,

James Day

Lead Counsel for Petitioners

Farella Braun + Martel LLP

jday@fbm.com

D. 415.954.4414



One Bush Street, Suite 900

San Francisco, CA 94104

www.fbm.com

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>
