

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CYBERSECURE IPS, LLC,
Petitioner,

v.

NETWORK INTEGRITY SYSTEMS, INC.,
Patent Owner,

Patent No. 7,706,641

Issue Date: April 27, 2010

Title: Monitoring individual fibers of an optical cable for intrusion

Inter Partes Review No.: IPR2025-01441

**PETITIONERS' OPPOSITION TO PATENT OWNER'S REQUEST FOR
DISCRETIONARY DENIAL OF INSTITUTION**

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I. INTRODUCTION

Petitioner opposes Patent Owner Network Integrity Systems, Inc.’s (“Patent Owner”) request for discretionary denial. (Paper 11 (hereinafter “RDD”)).

Patent Owner’s request to deny institution under 35 U.S.C. § 314(a) is unsupported by the facts, inconsistent with recent USPTO guidance, and contrary to the Board’s mandate to ensure the quality of issued patents.

First, the ’641 Patent at issue in this proceeding was improperly granted by the Patent Office due to a critical oversight by the Examiner, namely in (1) failing to search the relevant categories of art, and (2) failing recognize the teachings of critical prior art within the categories that were searched that clearly teaches the claimed features.

Furthermore, the core factual premise of Patent Owner’s “settled expectations” argument, namely that Petitioner knew of the ’641 Patent for a decade but “sat on its hands” is not supported by the record. In fact, the record shows the opposite. In 2023, as part of a negotiated resolution of intellectual property disputes under the Exclusive Strategic Relationship (“ESR”) Agreement, the Patent Owner and its then CEO, Joseph Giovannini, provided a sworn affidavit stating that Patent Owner did not possess any additional patents similar to or providing the same functionality as Petitioner’s products, or supporting interoperability with them, beyond those assigned under a contemporaneous Letter

Agreement. Indeed, paragraph 6 of Mr. Giovannini’s affidavit expressly concludes that NIS did not possess “additional patents ... similar to or that provide the same functionality as CS Products.” EX1028, Ex. D, at 28, ¶6. The ’641 Patent was not identified in that sworn declaration, nor in the parallel affidavit executed by Patent Owner’s then CTO, Cary Murphy. *Id.*, at 26-31.

Petitioner relied on those representations in resolving the dispute and releasing Patent Owner from liability. It therefore had the settled expectation that no patent assigned to Patent Owner, including the ’641 Patent, would be asserted against it. That expectation persisted until NIS abruptly reversed course in April 2025, filing suit on the ’641 Patent. Petitioner filed its IPR petition promptly—just over four months later—well within the one-year statutory bar, and without any intervening delay.

This factual backdrop destroys the foundation of Patent Owner’s “settled expectations” and delay arguments, undermines any equitable basis for denial, and distinguishes this case from those the Patent Owner cites. It also confirms that the *Fintiv* factors do not warrant discretionary denial. Most significantly, the parallel litigation is in its infancy, with no trial date set. Applying the district court’s median time to trial (51.3 months) or the judge’s (996 days), trial would not occur until December 2027 or as late as 2029 – many months or years after the expected February 2027 final written decision date.

II. MATERIAL ERROR IN THE EXAMINER’S SEARCH STRATEGY

A further “other circumstance” weighing strongly against discretionary denial is the material error that occurred during examination of the ’641 Patent due to the Examiner’s incomplete search strategy and failure to identify key art within the categories that were actually searched, such as the Evans reference. To the extent any of the *Fintiv* factors would otherwise weigh towards discretionary denial, these material failures in examination outweighs them. *See e.g., Anthony, Inc. v. ControlTec, LLC*, IPR2025-00559, Paper 12 at 2 (PTAB July 16, 2025) (Director decision) (holding that omission of relevant prior art by the Examiner during prosecution constituted a “material error” and outweighed other factors supporting discretionary denial under § 314(a), including challenged patents advanced age)¹; *see also Advanced Bionics LLC v. MED-EL*, IPR2019-01469, Paper 6 at 8–9 (PTAB Feb. 13, 2020) (precedential). Although *Advanced Bionics* arose under § 325(d), its reasoning that the Board should correct examiner mistakes where prior art was reasonably available but overlooked applies equally under

¹ Patent Owner’s arguments and cited case examples where a challenged patents’ age weighed in favor of discretionary denial are distinguishable where there was no articulated examiner error, and no sworn representations provided that the patent at issue was not applicable to Petitioner’s products. *See* RDD at 5-7.

§ 314(a), as recognized in the March 26, 2025 Workload Management memo's allowance for "any other relevant circumstances."

As the prosecution file history shows (EX1002 at 100–101), the Examiner's art search was limited to U.S. Class 385/13 ("Including physical deformation or movement of waveguide") and U.S. Class 385/12 ("Optical waveguide sensor"). This narrow search omitted several relevant classes of art, including for example U.S. Class 356/73.1 ("For optical fiber or waveguide inspection"), a classification directly referenced under Class 385/12 in the USPTO classification definitions.²

The omission is significant. Nearly all of the references relied upon in the Petition (including Maycock, Tomita, Vobian, Jezwinski, and Anderson) are indexed in Class 356/73.1. Had the Examiner performed a complete search in all relevant cross-referenced classes for optical fiber inspection, as USPTO practice requires (*see* M.P.E.P §904.02(a) ("[e]very group/subgroup and secondary classification area of the Cooperative Patent Classification, class/subclass of the U.S. Patent Classification, digest, and cross-reference art collection pertinent to each type of invention claimed should be included, from the largest combination through the various subcombinations to the most elementary part...a thorough and

² *See* <https://www.uspto.gov/web/patents/classification/uspc385/defs385.htm>

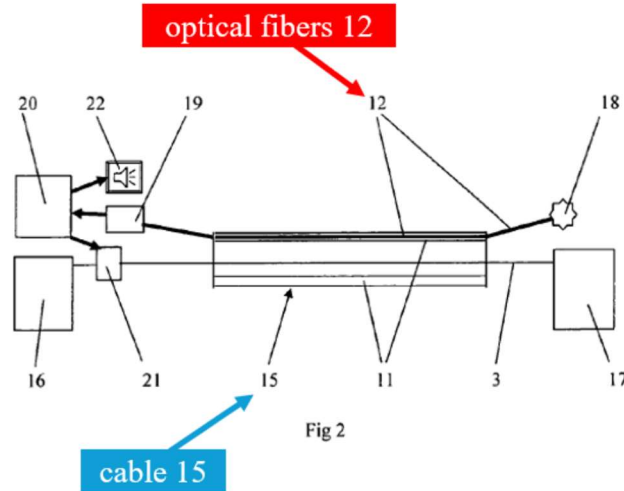
(noting Class 356 is part of the cross-reference for Class 385/12).

complete search requires the consideration of references from each of the areas where the examiner is likely to find pertinent prior art”), these invalidating references would have been located and applied during original examination. The failure to include that classification, despite its direct cross-reference, deprived the Office of the most relevant art in the field and allowed claims to issue without consideration of key teachings.

The deficiency is further underscored by the omission of Evans from the Examiner’s citations. Evans (EX1006) published November 3, 2005, nine months before the August 2, 2006 filing of the ’641 Patent, and is a highly relevant reference that falls squarely within the classifications the Examiner did search (*i.e.*, U.S. 385/12 and U.S. 385/13). For example, the Petition relies on Evans as a §§102/103 standalone reference in Ground 2 for three independent claims (Pet. at 51-64). The Evans reference should have surfaced in both the S1 search query for 385/12 and the later S2 query that included the 385/12 classification and alarm keywords; the latter search produced only 206 hits according to the file history (EX1002 at 100–101; *see also id.*, at 105-106). Yet the Examiner missed Evans entirely and never cited it, despite its direct pertinence to the claimed subject matter as outlined in the Petition as an anticipation primary reference. Notably, Patent owner does not address the merits of the Petition in its motion, including based on the Evans anticipation ground.

That is because had the Examiner properly reviewed the search results, he would have not allowed the claims over Evans. During prosecution, the Examiner only made one rejection over prior art, noting one reference (U.S. Patent No. 7,211,783 to “Beinhocker”) taught all the limitations of claims 1-2. EX1002, 92-97. After amending the claim to require “the cable having a plurality of fibers each of which extends from the first end to the second end,” Applicant represented that Beinhocker taught “fibers are looped across a surface of a box” and “NOT of the type with which the present invention is concerned in that the present invention is concerned with optical fiber cables where the fibers to be monitored extend from one end of the cable to the other end....to avoid data theft.” EX1002, 123-124. This amendment led to allowance, as the Examiner noted that “the prior art of record does not disclose...an optical fiber cable...having a plurality of fibers *each of which extends from the first end to the second end.*” EX1002, 135 (emphasis added).

Evans, unlike the Beinhocker reference overcome during prosecution, teaches exactly that—namely a method for detecting movement of fibers along the entire length of the cable, where optical fibers of cable 15 extend “between a data transmitter 16” at one end and “receiver 17” at a second end. *See* Pet. at 51-55.



EX1006, Fig. 2 (annotated). And unlike the Beinhocker reference, the “main application” of Evans is “in relation to optical cables for the transmission of confidential information.” EX1006, [0002]. Other references relied on in the Petition likewise apply to cables and data transmission systems. Accordingly, had the Examiner properly reviewed the search results and understood the context of the Patent Owner’s invention relating to protecting confidential data transmission, the Evans reference would have immediately stood out as a reference teaching all of the claim limitations, even after the claim amendments.

This combination of errors, including limiting the art search to two narrow classes without including the cross-referenced Class 356/73.1, and failing to identify the most relevant art within the classes searched, constitutes a clear material error in examination. PTAB precedent recognizes that such errors weigh heavily against discretionary denial, particularly where the prior art later identified

is specific to the claimed field and was reasonably available to the Examiner at the time. *See Xencor, Inc. v. Merus N.V.*, IPR2025-00604, Paper 12 at 2–3 (PTAB July 17, 2025) (material omission of relevant prior art during prosecution supported instituting review); *Microsoft Corp. v. ParTec Cluster Competence Ctr. GmbH*, IPR2025-00318, Paper 9 at 3 (PTAB June 12, 2025) (similar).

Correcting these failures is squarely within the PTAB’s mandate to ensure patent quality. The Director’s March 26, 2025 “Workload Management” memo permits consideration of “any other relevant circumstances” under § 314(a), which encompasses material examination errors. Here, the Petition brings forward precisely the art the Examiner should have considered — but did not — because of his incomplete search strategy. Allowing this Petition to proceed gives the Board the opportunity to address those errors and decide whether the challenged claims warrant continuing in force in light of the overlooked art.

III. PATENT OWNER’S “SETTLED EXPECTATIONS” ARGUMENT IS FACTUALLY WRONG AND LEGALLY MISAPPLIED

A. Procedural and Factual Background

This dispute arises directly from the resolution of prior intellectual-property claims between Petitioner and Patent Owner under their long-standing ESR Agreement. On April 26, 2023, Petitioner issued a Notice of Termination citing Patent Owner’s breach of the ESR Agreement’s intellectual-property provisions

and demanding, among other relief, that Patent Owner assign certain patents covering functionality similar to Petitioner's products. EX1028, ¶¶13–14.

Over the ensuing weeks, the parties negotiated a Letter Agreement dated May 5, 2023 to resolve those disputes (“Letter Agreement”). The Letter Agreement required Patent Owner to conduct a comprehensive review of all intellectual property assigned to it and to produce sworn affidavits from a knowledgeable officer confirming whether any “additional patents and other materials” existed that were similar to or provided the same functionality as Petitioner's Products that were part of the ESR “Solutions,” or supported interoperability with them. EX1028, ¶18. The agreement further obligated Patent Owner to assign any additional patents found as part of that review to Petitioner. EX1028, ¶¶18–19.

In response, on May 26, 2023, Patent Owner's then CEO Joseph Giovannini provided a sworn affidavit (the “Giovannini Affidavit”) attesting to his personal, comprehensive review of Patent Owner's patent filings, internal invention disclosures, and all development work by himself and key Patent Owner inventors associated with ESR projects. EX1028, ¶20. After identifying two patents unrelated to Petitioner's products and certain conceptual ideas not integrated into commercial products, Mr. Giovannini concluded in paragraph 6:

Based on our conclusion that the two patents and conceptual work described above does not relate to

potential NIS products that have the same functionality as CS Products, I have concluded that NIS does not possess ... additional patents ... similar to or that provide the same functionality as CS Products that are part of the Solutions and/or support the interoperability of NIS products with other products that provide the same functionality as CyberSecure products.

EX1028, Ex. D, ¶6. The '641 Patent was not disclosed in the Giovannini Affidavit (or the separate affidavit from Patent Owner's then CTO, Cary Murphy, executed June 2, 2023). EX1028, ¶22. Both affidavits were expressly intended to be exhaustive under the parties' settlement process, forming the basis for Petitioner's agreement to release Patent Owner from claims and the parties' final settlement of the ESR dispute. EX1028, ¶19, ¶23. It was only in April 2025, nearly two years later, that Patent Owner filed its infringement suit asserting the '641 Patent against technologies it contemporaneously acknowledged in 2023 as falling within the Letter Agreement's required scope of disclosure and assignment.

Patent Owner's own sworn statements undermine its claim that the '641 Patent merits protection from PTAB review based on "settled expectations." The established expectation between these parties—in writing and under penalty of perjury—was that Patent Owner did not possess patents of the scope it now asserts. Petitioner relied on that assurance to resolve its disputes with Patent Owner. The

Director's March 2025 guidance makes clear that such circumstances weigh against discretionary denial because they show the patent owner's reliance interest was self-diminished and the petitioner's subsequent filing was justified and timely.

B. Patent Owner's "Should Have Known" Theory Is Unsupported by Evidence and, Even If Assumed, Confirms Petitioner's Settled Expectation of Non-Assertion

Patent Owner devotes significant portions of its RDD to arguing that Petitioner "should have known" of the '641 Patent during the parties' eight-year ESR relationship. Notably, Patent Owner does not identify a single document putting Petitioner on notice of the alleged infringement of the '641 Patent.

The '641 Patent is not enumerated or cited anywhere in the ESR Agreement, in any amendment, or in any contemporaneous communications presented to the Board. At most, Patent Owner contends the patent was "inherent within" the license granted under the ESR Agreement, an assumption that falls far short of establishing that Petitioner knew Patent Owner's contention that the '641 Patent read on any Petitioner product. Even if Petitioner had known of the '641 Patent during the parties' relationship, Petitioner was justified in relying on Patent Owner's sworn affidavits that no other NIS patents covered Petitioner's products.

If anything, the facts demonstrate that the settled expectation was that the '641 Patent would not be asserted. First, when the ESR Agreement was terminated in 2023, Patent Owner did not provide Petitioner with any infringement notice or

letter regarding the '641 Patent, despite claiming in its RDD that Petitioner's products "practice" the patent. The absence of any such contemporaneous accusation reinforced the expectation that no enforcement was forthcoming.

Second, under Patent Owner's own theory in the RDD, the ESR arrangement included an "inherent license" to patents covering jointly-developed products. It is inconsistent to argue both that Petitioner should have challenged the '641 Patent during the ESR and that Petitioner was immune from infringement by virtue of an existing license. The logic of Patent Owner's own argument makes clear there was no incentive, reason, or need to challenge the '641 Patent during the ESR term.

Third, any lingering doubt was eliminated in 2023 by Patent Owner's sworn commitments in the Giovannini Affidavit. Patent Owner's CEO attested that after performing a comprehensive search of Patent Owner's portfolio, no additional patents similar to or providing the same functionality as Petitioner's products existed beyond those assigned in the Letter Agreement. This representation, under penalty of perjury, omitted the '641 Patent, confirming it would not be asserted.

Fourth, the infringement suit asserting the '641 Patent was not filed until April 7, 2025. Petitioner responded promptly by filing the present IPR on August 22, 2025, only four months later. The timing demonstrates that once the settled expectation of non-assertion was broken, Petitioner acted expeditiously to exercise its statutory right under § 311 to challenge the patent.

Patent Owner cannot bootstrap a speculative “should have known” theory into a denial of institution when the record is replete with affirmative assurances that the ’641 Patent would not be asserted, first by the ESR Agreement’s “inhering” license, and then by Patent Owner’s sworn affidavits that no other NIS patents covered Petitioner’s products. At best for Patent Owner, its own arguments confirm that Petitioner reasonably relied on an expectation of non-assertion until that expectation was abruptly reversed in April 2025, which weighs strongly against discretionary denial under the USPTO’s March 26, 2025 guidance.

IV. PROMPT FILING REFUTES ANY CLAIM OF DELAY

Petitioner filed this IPR on August 22, 2025, just four months after service of the infringement complaint on April 7, 2025. That is well within the one-year limit of § 315(b), with no pre-suit delay once the ’641 Patent was first asserted. This timing contrasts sharply with the multi-year delays in cases cited by Patent Owner and aligns with *Fintiv* precedent and USPTO workload-management policy, both of which treat prompt filing as weighing against discretionary denial.

V. EQUITY WEIGHS IN FAVOR OF INSTITUTION

Patent Owner’s equity argument that Petitioner benefitted from licensing the ’641 Patent during the ESR Agreement, ignores that the ESR Agreement ended with a settlement premised on sworn assurances that Patent Owner did not maintain any patent rights relevant to Petitioner’s products. Equity does not

support rewarding a reversal of that assurance by shielding the patent from statutory review. To do so would encourage patent owners to strategically omit known patents from disclosure obligations, only to assert them years later without risk of PTAB scrutiny. Denial in these circumstances would reward concealment and undermine the integrity of settlement agreements.

VI. APPLICATION OF THE *FINTIV* FACTORS

A. Factor 1 – Whether a Stay Exists or is Likely to be Granted

Petitioner plans to seek a stay in the parallel district court case if IPR is instituted, and the judge of the parallel litigation granted a stay in the single motion he has ever considered requesting such a stay. *GCE Gas Control Equip., Inc. v. 3B Med. Mfg., LLC*, No. TDC-22-2550, 2024 U.S. Dist. LEXIS 10280 (D. Md. Jan. 18, 2024).

Although Patent Owner argues that the assertion of dependent claims 6 and 7, which are not challenged in this IPR, would make a stay unlikely, Petitioner contends those claims are not infringed and, thus, could be disposed of early on summary judgment. In similar cases, district courts have granted stays even when peripheral claims remained, especially when they were dependent on independent claims under PTAB review, because the Board's decision would likely resolve or moot them. *See GCE Gas Control Equip.*, 2024 U.S. Dist. LEXIS 10280 (granting stay pending IPR even though some asserted claims were not challenged and

others were likely to survive review; holding that the possibility litigation would continue did not preclude a stay where the instituted IPR could still streamline the case, reduce expense, and facilitate trial). At present, the absence of any stay request makes this factor officially neutral, but given the procedural posture and the potential for streamlined resolution of claims 6 and 7, there is no basis to weigh it against institution.

B. Factor 2 – Proximity of the District Court’s Trial Date to FWD

The district court has **not set a trial date**. The Scheduling Order establishes an August 31, 2026 deadline for dispositive motions, but there is no certainty as to when trial will occur thereafter, especially given the presence of counterclaims and multiple patents at issue.

Patent Owner’s argument that trial will “more likely than not” precede the February 2027 final written decision deadline is not based on time-to-trial statistics. EX2021 (termination statistics, not time-to-trial statistics). Based on Patent Owner’s Lex Machina statistics, Judge Chuang has never conducted a trial in a patent case or issued a claim construction decision. *Id.* The Lex Machina statistics for all of Judge Chuang’s civil cases indicate the median days from case filing to trial is **996 days**. EX1029.

This is consistent with the District of Maryland median time to trial statistics more broadly, where according to the official Federal Court Management Statistics

for the 12-Month Period Ending March 31, 2025, the median time from filing to trial in the District of Maryland is 51.3 months. EX1030 (U.S. Courts, Federal Court Management Statistics, District of Maryland). Applying that median to this case, filed April 7, 2025, yields a projected trial date of July 17, 2029 — more than two years after the expected February 2027 FWD date. Even if one uses the shorter median from the prior year (36.9 months for the 12-Month Period Ending March 31, 2024), or the 996 days for Judge Chuang’s civil cases, the projected trial date would be May 6, 2028 or December 29, 2027 respectively, both still well after the expected FWD. EX1029; EX1030.

These statistics underscore that, whether using the District of Maryland’s most recent year’s median, the prior year’s median, or Judge Chuang’s broader median time to trial statistics, trial is not likely to occur before the FWD. In similar circumstances, the Board has held that Factor 2 weighs against discretionary denial when objective timing data shows trial will follow the FWD. *See USAA Fed. Sav. Bank v. PACid Techs., LLC*, IPR2025-00697, Paper 9 at 2 (PTAB Aug. 14, 2025) (Factor 2 against denial where trial likely after FWD); *Google LLC v. Withrow Networks Inc.*, IPR2025-00775, Paper 10 at 2 (PTAB Aug. 14, 2025) (same).

Without a set trial date, all credible statistical indicators point to a schedule where the PTAB’s statutory FWD will issue well in advance of any jury verdict. Despite Patent Owner’s speculation, six months between submission of dispositive

motions and the FWD does not provide any guarantee that trial will occur before the FWD issues, and in fact it is unlikely to be the case. Without a firm trial date and considering potential extensions or additional pretrial motion practice, the comparison between the court's schedule and the PTAB's statutory deadline is speculative at best. Factor 2 therefore does not support, and indeed weighs against discretionary denial.

C. Factor 3 – Investment in the Parallel Proceeding

The parallel litigation is still at a very early stage, with the pleadings only recently closed. There have been no Markman hearings, no substantive rulings, and no discovery beyond initial procedural steps. Patent Owner suggests that Petitioner's counterclaims have "delayed" progress, but in reality both parties' filings have contributed to the current case schedule, and no significant resources have yet been committed to merits adjudication of the '641 Patent in court. In cases where both forums are at early stages, the Board has routinely found that Factor 3 does not favor discretionary denial because there is minimal risk of wasted judicial resources. Here, the lack of substantive investment weighs against any finding that parallel proceedings would make IPR inefficient.

D. Factor 4 – Overlap Between Issues

Although the '641 Patent is asserted in both forums, it is premature to assess potential overlap because the litigation invalidity contentions are not due until

January, which weighs in favor of institution. *See Samsung Elecs. Co., Ltd. v. Sung*, IPR2024-00533, Paper 16 at 39–40 (PTAB Sept. 18, 2024) (stating that the “failure of any evidence of an overlap in the substantive invalidity issues in the [District Court] Litigation and in this IPR proceeding under *Fintiv* factor 4 weighs against exercising our discretion to deny institution”). Petitioner will be discouraged from relying on overlapping invalidity issues because the institution decision (due in February 2026) and will come before the district court addresses the merits of any invalidity issues (dispositive motions due August 31, 2026).

There would also be other significant non-overlapping issues, such as dependent claims 6 and 7 of the ’641 Patent (*see* Patent Owner’s RDD at 13), four patents asserted by Petitioner (EX1031), and claims for defamation and unfair business practices asserted by Patent Owner (EX1032).

Patent Owner cites Petitioner’s lack of a *Sotera* stipulation, but a stipulation is not determinative. The limited overlap supports proceeding at the PTAB, as the Board’s findings would still promote efficiency by addressing invalidity, while the district court may resolve other asserted patents and claims.

E. Factor 5 – Whether the Parties in the Proceedings Are the Same

Although the parties in the proceedings are the same, this is not a stand-alone reason to deny institution under *Fintiv*, particularly where the other factors either favor institution or are neutral. In the current case, the presence of the

same parties should be given little weight because the litigation includes additional claims and unrelated legal theories that will require court adjudication regardless of this IPR. *See* EX1031; EX1032.

F. Factor 6 – Other Circumstances

Here, the “other circumstances” strongly favor institution due to the sworn Giovannini and Murphy affidavits from 2023, executed under penalty of perjury, expressly stating that Patent Owner did not possess any additional patents similar to or providing the same functionality as Petitioner’s products—yet omitting the ’641 Patent despite its alleged applicability under Patent Owner’s current infringement theories. Petitioner relied on these affidavits in resolving an IP dispute, releasing Patent Owner from claims, and foregoing any earlier challenge to the ’641 Patent. That reliance is a compelling circumstance unique to this case, undermining Patent Owner’s “settled expectations” narrative and showing that any reliance interest belonged to Petitioner. Additionally, Patent Owner’s criticism of Petitioner’s expert testimony as “parroting” is unfounded; the declaration contains substantive technical analysis and is not mere repetition of the petition, providing over 60 additional pages of analysis. These circumstances weigh strongly in favor of letting this IPR proceed so the Board can resolve the validity of the asserted claims.

VII. PUBLIC INTEREST

The March 26, 2025 USPTO “Workload Management” memo underscores the Director’s ability to consider “any other relevant circumstances” in deciding institution under § 314(a), including efficiency gains and public-interest concerns. Those circumstances are present here: a pre-AIA patent is asserted against modern technology despite the patent owner’s prior sworn assurance of its irrelevance. Allowing this IPR to proceed will serve the public interest by promoting accuracy and uniformity and avoiding duplicative or inconsistent validity determinations.

VIII. CONCLUSION

Patent Owner’s request for discretionary denial should be denied. Petitioner filed promptly after first assertion of the ’641 Patent, the litigation is in its infancy, the *Fintiv* factors do not support denial, and sworn evidence proves that any legitimate “settled expectations” favored Petitioner. Institution will permit the Board to fulfill its mandate to ensure that only valid claims remain enforceable.

U.S. Patent No. 7,706,641
IPR2025-01441

Dated: December 1, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 1, 2025 a true and correct copy of the foregoing **PETITIONERS' OPPOSITION TO PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL OF INSTITUTION** was filed through the PTACTs system along with service to the email addresses below:

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