

From: [Director Discretionary Decision](#)
To: [Wieker, Amanda F.](#); [Director Discretionary Decision](#)
Cc: [Adam Floyd](#); [Davis, George B.](#)
Subject: RE: IPR2025-01473, Patent Owner's Request for Reply
Date: Tuesday, December 16, 2025 9:39:48 AM

Patent Owner is authorized to file a 5-page reply in IPR2025-01473, due no later than Thursday, December 18, 2025, limited to addressing the arguments raised below.

From: Wieker, Amanda F. <awieker@mcguirewoods.com>
Sent: Monday, December 15, 2025 10:50 AM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
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Subject: IPR2025-01473, Patent Owner's Request for Reply

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Director Squires,

Patent Owner seeks authorization to file a 5-page Reply to Petitioner Atrius' Response to Patent Owner's Request for Discretionary Denial, Paper 8, which was filed on Thursday Dec. 11, 2025. Patent Owner seeks authorization to address the following points, each of which constitutes good cause for additional briefing:

1. Petitioner's mistaken reliance on, and misquotations attributed to, *Dabico Airport Solutions Inc. v. AXA Power APS*, IPR2025-00408, Paper 21 (PTAB Jun. 18, 2025);
2. Petitioner's inaccurate and misleading statements regarding Patent Owner's alleged failure to disclose certain prior art products to the Office during prosecution, which constitutes materials error;
3. Petitioner's inaccurate and misleading argument that claims of the '247 patent were added to capture material from this alleged prior art;
4. Petitioner's unforeseeable arguments regarding 35 USC 325(d) including
 - a. its misleading citation to *Semiconductor Energy Lab. Co. v. Samsung Elecs. Co. v. Samsung Elecs. Co.*, 204 F.3d 1368 (Fed. Cir. 2000); and
 - b. its new and unsupported argument that Strbac '003 is (1) not entitled to its priority date, or (2) was not considered by virtue of a prior art exception that the applicant did not invoke; and
5. Petitioner's unforeseeable allegation of material error based on these issues.

Good cause exists for a Reply addressing these issues because Petitioner's arguments are misleading and inaccurate, cast aspersions against Patent Owner's prosecution counsel, and were entirely unforeseeable. Patent Owner requests 5 days to submit such briefing.

Counsel for Petitioner, copied here, opposes the requested briefing.

Thank you,
Amanda

Amanda F. Wieker 

Partner

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