

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc.,
Petitioner,

v.

Redstone Logics LLC,
Patent Owner.

Case IPR2025-01532
Patent 8,549,339

**PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL OF
INSTITUTION**

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Ex. 2008	Redstone's Preliminary Infringement Contentions
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I. INTRODUCTION

The Director should deny institution of *inter partes* review (“IPR”) of U.S. Patent No. 8,549,339 (“the ’339 patent”) under his discretion under *Fintiv* and more generally under §314. Trail against Petitioner is set for a month prior to the deadline for a Final Written Decision and the parties have a strong settled expectation of validity of the ’339 Patent. The ’339 has been in effect since 2013 and filed in 2010, before the current IPR regime existed. Moreover, the art raised by Apple was previously raised by Qualcomm and NXP and now Apple admits to roadmapping from that, now denied, petition and has likely done the same as to MediaTek’s also denied IPR petition.

II. DENIAL OF INSTITUTION UNDER §314 IS WARRANTED.

35 U.S.C. § 314(a) gives the Director discretion to deny institution of IPR due to the advanced state of parallel district court litigation regarding the same issues. *See NHK Spring Co. v. Intrix-Plex Techs., Inc.*, IPR2018-00752, Paper 8 at 19-21 (PTAB Sept. 12, 2018) (precedential) (“*NHK*”). The Board has set forth six factors for determining whether discretionary denial in light of such parallel litigation is appropriate, and in analyzing them, “takes a holistic view of whether efficiency and integrity of the system are best served by denying or instituting review.” *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 at 5-6 (PTAB Mar. 20, 2020) (precedential)

(“*Fintiv I*”); *see also Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 15 at 7-17 (PTAB May 13, 2020) (informative) (“*Fintiv II*”).

Each of these six *Fintiv* factors weigh in favor of the Director exercising his discretion to deny institution here. For Factor 1, no stay of the parallel district court litigation has been granted or requested, and a stay is unlikely given the advanced stage of the cases. For Factor 2, the district court trial will commence a month before the deadline for a final written decision in this proceeding. For Factor 3, largely due to Petitioner’s delay in filing the Petition, there will be much investment by the parties and the district court—even now, the parties have agreed to certain claim constructions and by the time the Board issues its institution decision fact discovery will be well underway. For Factor 4, there is substantial overlap in both the patent claims and art at issue in this proceeding and in the district court, and Petitioner’s stipulation does little to address the concerns of efficiency and inconsistent rulings. For Factor 5, Petitioner is the defendant in the parallel litigations. And for Factor 6, not only did Petitioner unduly delay in filing the Petition, but the Petition fails to present a compelling challenge on the merits. Moreover, the Petition is likely defunct in light of the upcoming rule changes. Each of these factors is addressed in more detail below.

A. *Fintiv* Factor 1: The district court has not granted a stay, nor is there any evidence that a stay will be granted.

In the parallel district court proceeding involving the same claims of the '339 patent, the district court has not granted a stay pending IPR. Further, Petitioner has not requested such a stay, there is no indication it will do so or that it would be granted.

Moreover, the facts here indicate that it is unlikely that the district court would grant a stay pending IPR even if this IPR were instituted, given the late stage of litigation. In the parallel action the parties will have already exchanged final infringement and invalidity contentions, completed claim construction, and begun fact discovery before the expected institution decision. Ex. 2001. Likewise, trial is currently set for February 22, 2027, a month before a final written decision is expected from this petition. *Id.*

Thus, even if Petitioner were to file a motion for a stay pending this proceeding, it is highly unlikely Judge Albright would grant a stay at this late juncture in the cases. *See, e.g., Smart Mobile Techs. LLC v. Samsung Elecs. Co.*, No. 6:21-CV-00701-ADA, 2023 WL 11999028, at *3 (W.D. Tex. Oct. 24, 2023) (Albright, J.) (denying motion to stay pending IPR, where, when defendants' motion was filed, a claim construction hearing had already occurred, noting "the Court and the Parties have already expended significant resources in furtherance of these

proceedings and any future expense that the parties might incur is outweighed by the delay in filing this Motion.”); *Multimedia Content Mgmt. LLC v. Dish Network L.L.C.*, No. 6:18-CV-00207-ADA, 2019 WL 11706231, at *3 (W.D. Tex. May 30, 2019) (Albright, J.) (same). Moreover, Judge Albright’s rate of granting contested motions to stay pending an IPR is less than 30%, without considering late stage of the case Apple’s motion might be filled in. *See* Ex. 2002.

Where the district court litigation has not been stayed, and any stay is speculative and unlikely, allowing this IPR to proceed in parallel would be wasteful and inefficient. Factor 1 weighs against institution.

B. *Fintiv* Factor 2: The district court trial will occur a month before the deadline for a final written decision in this proceeding.

“If the court’s trial date is earlier than the projected statutory deadline, the Board generally has weighed this fact in favor of exercising authority to deny institution under *NHK*.” *Fintiv I* at 9.

Here, the deadline for a final written decision in this IPR is March 30, 2027, which may be extended to September 30, 2027, for good cause or in the case of joinder. 37 C.F.R. § 42.100(c). Meanwhile, the district court litigation is set for trial on February 22, 2027. Ex. 2001. That is just over 22 months after the district court case was filed. *See* Ex. 2001, Ex. 2003. Judge Albright’s median time to trial in similar “small” case (cases involving 4 or fewer accusations) is only 23 months with

the majority of such trials occurring between 18 and 24 months after filing. Ex. 2004¹. While this is faster than the timeframe of the Federal Court Management Statistics for the Western District of Texas, *see* Ex. 2006 (indicating median times to trial for civil cases for the twelve-month period ending in June for 2020-2025 as 22.4, 23.8, 28.3, 26.4, 32.7, and 32.8), this case is particularly well positioned to move in line with the current schedule. The district court is already familiar with the asserted patent, having presided over several prior actions and has already done significant work on the asserted patent. *See* Ex. 2007 (adopting the Court’s prior claim construction ruling). The parties have already taken advantage of this familiarity and agreed to accept the Court’s prior claim construction ruling. *Id.* Because Judge Albright’s own time-to-trial statistics align with the current case schedule and the parties are uniquely positioned to meet that schedule, it is more likely than not trial will occur before the Board can reach a final written decision.

Thus, consistent with historical statistics, the district court trial is set to occur before the deadline for a final written decision, and possibly more than seven months before the deadline if extended. This weighs heavily against institution. *See, e.g., Samsung Elecs. Co. v. Mojo Mobility Inc.*, IPR2023-01094, Paper 11 at 8-9 (PTAB Feb. 9, 2024) (“*Mojo*”) (denying institution when trial was set before the final

¹ For clarity, Judge Albright’s median time to trial in all patent cases is still just 24 months with the greatest number of cases still being tried with 24 months after filing. Ex. 2005.

written decision would issue); *BOE Tech. Grp. Co. v. Element Capital Commercial Co.*, IPR2023-00808, Paper 9 at 21-22 (PTAB Nov. 15, 2023) (“*BOE*”) (same); *Vector Flow, Inc. v. HID Global Corp.*, IPR2023-00353, Paper 8 at 19-20 (PTAB July 17, 2023) (“*Vector Flow*”) (same); *Roku, Inc. v. IOEngine, LLC*, IPR2022-01551, Paper 11 at 10-11 (PTAB May 5, 2023) (“*Roku*”) (same).

Indeed, the Board has denied institution on account of similarly small gaps between the final written decision and trial. *See, e.g., EClinicalWorks, LLC v. Decapolis LLC*, IPR2022-00229, Paper 10 at 9 (PTAB Apr. 13, 2022) (“*EClinicalWorks*”) (finding this factor weighed in favor of discretionary denial and denying institution where “the beginning of the jury trial in the WDTX Cases is roughly ***one or two months*** before any final decision would have been due had *inter partes* review been instituted”); *Fintiv II* at 13 (finding this factor weighed in favor of discretionary denial and denying institution where the district court trial was scheduled to occur ***two months*** before the deadline for the Board to reach a final written decision); *NXP USA, Inc. v. Impinj, Inc.*, PGR2022-00005, Paper 20 at 5-6 (PTAB August 25, 2022) (“*NXP*”) (same).

Because the district court trial is currently set to occur before the earliest deadline for a final written decision in this IPR, Judge Albright’s time-to-trial statistics would see trial before a final written decision, and there is no evidence that

trial could occur after final written decision, this factor weighs heavily against institution. *Fintiv II* at 13.

C. *Fintiv* Factor 3: By the time an institution decision is reached, the Court will have decided claim construction issues and fact discovery will be completed.

Factor 3 relates to the “amount and type of work already completed in the parallel litigation by the court and the parties *at the time of the institution decision.*” *Fintiv I* at 9. For example, “if, at the time of the institution decision, the district court has issued substantive orders related to the patent at issue in the petition,” this factor favors denial. *Id.* at 9-10. “Likewise, district court claim construction orders may indicate that the court and parties have invested sufficient time in the parallel proceeding to favor denial.” *Id.* at 10.

Here, the Court has already entered its claim construction ruling and fact discovery will open two months before any institution decision. Ex. 2007, Ex. 2001. The *Markman* decision clearly qualifies as a “substantive order.” Moreover, final infringement and invalidity contentions will have been exchanged. Ex.2001.

These investments by the parties and district court weigh against institution because they ensure that this IPR cannot be an efficient alternative to district court litigation. This favors discretionary denial, and panels have found this factor to favor denial when the parallel litigation was at a similarly advanced stage as here. *See, e.g., BOE* at 23-24 (denying institution in part because claim construction was

complete and fact discovery was nearly completed); *Roku* at 12 (same); *Mojo* at 9 (same).

Of course, the reason that the district court litigation will be so far along at the time of institution is because Petitioner unduly delayed in filing the Petition. While Apple's Petition comes five months after the filing of the district court action, the petition largely copies the Petition filed by Qualcomm and NXP. *Compare* Pet. with *NXP USA, Inc. et al v. Redstone Logics LLC*, IPR2025-00485, Paper 1 (Jan. 22, 2025) (both raising White, Talwar, Elgebaly, and Vajda). Instead of joining that petition, Apple took two months to refine Qualcomm's grounds after the Board denied institution, three months from Redstone's patent owner's preliminary response. *See NXP USA, Inc. et al v. Redstone Logics LLC*, IPR2025-00485, Paper 9 (Jun. 12, 2025) (Patent Owner's Preliminary Response); *NXP USA, Inc. et al v. Redstone Logics LLC*, IPR2025-00485, Paper 11 (Jul. 10, 2025) (Director Discretionary Decision).

Because there has been substantial investment in the parallel proceeding, and Petitioner delayed filing the Petition, Factor 3 weighs heavily against institution.

D. *Fintiv* Factor 4: There is substantial overlap between this IPR and the district court proceeding.

This factor looks at “whether all or some of the claims challenged in the petition are also at issue in district court” and whether the “petition includes the same

or substantially the same claims, grounds, arguments, and evidence” as the parallel district court case. *Fintiv I* at 12-13. Here, the challenged and asserted claims are identical, and the prior art relied upon in the Petition and at the district court is substantially overlapping.

First, the Petition challenges claims 1-3, 5, 8-11, 14, and 21 of the ’339 patent; this differs from the claims currently asserted in the district court actions by three dependent claims. *Compare* Pet. at 1 with Ex. 2008 (infringement contentions asserting the same claims); *see also Pharaoh Energy Servs., LLC v. Flex-Chem Holding Co.*, IPR2024-00815, Paper 7 at 13-14 (PTAB Sept. 20, 2024) (denying institution in part because the same claims were challenged at the PTAB and asserted in litigation); *Vector Flow* at 22 (same); *EClinicalWorks* at 12 (same).

Second, all of the references relied upon by the Petition are also relied upon by Apple in the district court. Ex. 2009 at 4, 8, 13, 15 (Apple’s Invalidity Contentions). While Apple has offered a stipulation, Paper 6, it does not sufficiently address the concerns of efficiency and inconsistent rulings. Apple offers a *Sotera*-type stipulation (not to pursue “in the copending district court proceeding: (i) the specific grounds raised in IPR2025-01532” and “(ii) any other grounds that could have reasonably been raised before the PTAB in that instated proceeding”) and a further stipulation to not pursue “(iii) any ground based on a combination of system prior art and the references asserted as the basis of a ground in IPR2025-01532, as

reflected in the table summarizing the grounds on page 16 of the Petition.” *Id.* at 2. Page 16 lists only the White, Talwar, Lee, Elgebaly, and Vajda references. Pet. at 16. Apple’s stipulations are exceedingly limited.

First, a *Sotera*-type stipulation is easily circumvented because it does not exclude combinations involving “system” art—even system art that corresponds to the prior art asserted in this IPR. *See Ingenico Inc. v. IOENGINE, LLC*, 136 F.4th 1354, 1365–66 (Fed. Cir. 2025) (“Thus, IPR estoppel does not preclude a petitioner from asserting the same prior art raised in an IPR in district court, but rather precludes a petitioner from asserting grounds that were raised or reasonably could have been raised during an IPR.”)

Apple’s second stipulation is just as limited. It only prohibits the combination of White, Talwar, Lee, Elgebaly, and/or Vajda with system prior art. This does not address a system art version of these references nor the use of system art generally or in combination with other printed publications. As such, it is very likely that Apple will raise substantially the same issues as raised in its petition in the district court action, merely finding system art by White, Talwar, Lee, Elgebaly or Vajda.

Additionally, Apple hedges its stipulation to just the district court action *Redstone Logics LLC v. Apple Inc.*, Case No. 7:25-cv-00183, but Apple reserves the right to file *ex parte* reexamination requests on the same references with the

same/similar prior art. Paper 6 at 1; *see* Ex. 2010 at 18 (proposing broader stipulation to affect “any other proceeding”).

Also, Apple’s stipulation is limited to Apple only. Paper 6 at 1; *see* Ex. 2010 at 18 (proposing broader stipulation to affect “petitioner and any real party in interest or privity”). Apple is known to cooperate with or fund third parties like Unified Patents to file *ex parte* reexamination requests without directly naming Apple. Apple’s stipulations bind only Apple and do not foreswear privity through Unified Patents or other entities. Apple may just fund Unified Patents to file an *ex parte* reexamination using the same/similar prior art.

Further, Apple’s assurances not to “advance” certain prior art will result in little or no meaningful efficiency gains due to the late stage of the litigation, because final invalidity contentions will be due before an institution decision can be reached. Ex. 2001. Apple will have prepared its invalidity contentions, setting forth all of Apple’s invalidity positions in the district court action, before any institution decision can be reached. *Id.* Given that Apple will not give up its district court assertion until after institution is not later reversed, however long that may be, it is highly likely the Parties will not be able to treat these combinations as dropped until much later and will likely be forced to prepare discovery, motions to compel, and even expert reports addressing them before any assurance can be reached.

In short, the Petition challenges the same patent claims that are asserted in the parallel litigation, and Petitioner relies on substantially overlapping prior art at the district court. This raises substantial “concerns of inefficiency and the possibility of conflicting decisions,” weighing against institution. *See Fintiv I* at 12.

E. *Fintiv* Factor 5: Petitioner is a defendant in the district court litigation.

Petitioner is the defendant in the parallel litigation. *See* Ex. 2003; *see, e.g., Fintiv II* at 15 (“Because the petitioner and the defendant in the parallel proceeding are the same party, this factor weighs in favor of discretionary denial.”).

F. *Fintiv* Factor 6: Other circumstances weigh strongly against institution, including the weakness of the Petition and Petitioner’s delay.

This factor looks at “other circumstances that impact the Board’s exercise of discretion, including the merits.” *Fintiv I* at 9. This factor also weighs heavily against institution.

First, the merits of this Petition suffer from significant weaknesses and gaps in proof, as discussed Patent Owner’s upcoming Preliminary Response. Thus, the Petition fails to present a “compelling unpatentability challenge” and fails to establish a reasonable likelihood of success.

Second, many of the other relevant considerations identified by the Interim Processes for PTAB Workload Management memorandum, Ex. 2011, weigh against institution. *See Infa* § III.

Last, should the proposed rule change regarding §42.108 be adopted, any instituted IPR would not be maintained for long. First, as noted above, Apple has made no sufficient stipulation, so any instituted IPR could not be maintained. *See* Ex. 2010 at 22 (“*Inter partes* review shall not be instituted or maintained unless each petitioner files a stipulation with the Board ... state that if a trial is instituted, the petitioner and any real party in interest or privy of the petitioner will not raise grounds of invalidity or unpatentability with respect to the challenged patent under 35 U.S.C. 102 or 103 in any other proceeding”). Second, as noted above, the parallel district court litigation is more likely than not to address Apple’s validity challenges prior to the due date for final written decision, as such even if instituted this IPR could not be maintained. *See id.* at 23. Because it is likely that even if otherwise instituted, this IPR could not be maintained for similar reasons as discussed under *Fintiv*, institution should be denied.

These factors demonstrate and reinforce that efficiency and system integrity considerations weigh overwhelmingly in favor of a discretionary denial here.

III. The PTAB Workload Management Factors Weigh Against Institution

Consistent with and in addition to the factors identified in *Fintiv*, the Interim Processes for PTAB Workload Management Memorandum (“Workload Memo”) provides enumerates seven relevant considerations (“Workload Management Factors”):

- Whether the PTAB or another forum has already adjudicated the validity or patentability of the challenged patent claims;
- Whether there have been changes in the law or new judicial precedent issued since issuance of the claims that may affect patentability;
- The strength of the unpatentability challenged;
- The extent of the petition's reliance on expert testimony;
- Settled expectations of the parties, such as the length of time the claims have been in force;
- Compelling economic, public health, or national security interests; and
- Any other considerations bearing on the Director's discretion.

Ex. 2011 at 2-3.

These considerations weigh strongly in favor of a discretionary denial. This is the third IPR filed against this patent. Both prior petitions were denied, one expressly on the merits and one addressing the same prior art as the present petition, showing the parties' expectation that the patent in question is valid. Given this and the age of the patent, granted in 2013, there is a strong settled expectation that the patent is valid and need not be challenged before the PTAB yet again. And in any case, Apple admits to road mapping. There is no basis for the Board to expend its resources on yet another, repetitive, challenge. Institution should be denied under these factors.

A. Prior Adjudication

The first consideration asks “whether the PTAB or another forum has already adjudicated the validity or patentability of the challenged patent claims.” Ex. 2009 at 2. Here, many prior patentability challenges have been adjudicated with Apple even agreeing to abide by one prior adjudication.

First, this is the third IPR challenge against the ’339 Patent. Both prior challenges have been ruled upon, both being denied institution. First, on April 22, 2025, the Board denied institution in IPR2025-00085. *Mediatek, Inc. et al v. Redstone Logics*, IPR2025-00085, Paper 7 (PTAB Apr. 22, 2025). The Board considered the merits of that challenge and found the petition failed to demonstrate the prior art disclosed all claimed elements and denied institution. *Id.* at 2. Second, on July 10, 2025, the acting director exercised her discretion to deny institution in IPR2025-00485. *NXP USA, Inc. et al. v. Redstone Logics LLC*, IPR2025-00485, Paper 11 (PTAB Jun. 10, 2025). These prior decision weight against institution.

IPR2025-00485 is particularly important as it raised substantially the same grounds as Apple’s petition. IPR2025-00485 raised grounds on White and Talwar; Elgebaly and Oze;, and Elgebaly, Ozer, and Vajda. *See NXP USA, Inc. et al. v. Redstone Logics LLC*, IPR2025-00485, Paper 1 at 7-8 (Jan. 22, 2025). The present petition raises White, Talwar, and Lee; Elgebaly and Lee; and Elgebaly, Lee, and Vajda. Paper 1 at 16. Considering Apple’s petition comes three months after the

Patent Owner's preliminary response in IPR2025-00485 and Dr. Horst was asked to review "the documents filed in IPR2025-00485... including the Declaration of Murali Annavaram, Ph.D...", Apple's addition of Lee is clear, admitted road mapping. Such incremental changes in repeat challenges based on arguments from the Patent Owner's preliminary response are a waste of the limited resources of the PTAB and weighs heavily against institution.

Second, Apple challenges the patentability of the asserted claims in the district court. This challenge covers the exact same prior art as raised by the instant Petition. Ex. 2009 at 4-8. This is in addition to Apple's other validity challenges in district court, which will be adjudicated before a final written decision, as noted *Supra* §II.B. Indeed, a portion of Apple's validity challenges have already been adjudicated. On November 11, 2025 the district court entered its claim construction order ruling on Apple's indefiniteness arguments. Ex. 2007 at 2. Apple's own invalidity and patentability challenges have either already been ruled upon or are expected to be ruled upon prior to a final written decision.

In light of prior validity challenges on the same art and by Apple itself having already been adjudicated and other challenges being scheduled to complete prior to a Final Written Decision, there is little basis for the Patent Office to expend its limited resources on the instant challenge.

B. No Changes in the Law Support Reconsideration of Validity

The second consideration asks “whether there have been changes in the law or new judicial precedent issued since issuance of the claims that may affect patentability.” Ex. 2011 at 2. No such changes exist. This weighs against institution.

C. The Petition is Particularly Weak and Overly Reliant on Unreliable Expert Testimony.

The third and fourth consideration tests the “strength of the unpatentability challenge” and the “extent of the petition’s reliance on expert testimony.” Ex. 2011 at 2. Here, as explained in Patent Owner’s upcoming Preliminary Response, Apple’s unpatentability challenge has severe facial flaws, many related to its reliance on expert testimony. Because the merits of the Petition do not warrant institution without heavy reliance on an unreliable expert declaration, these considerations favor discretionary denial.

D. The Patent Has Been In Force As Long As The IPR Regime

This consideration looks to the “[s]ettled expectations of the parties, such as the length of time the claims have been in force.” Ex. 2011. While there is no bright-line rule here, “in general, the longer the patent has been in force, the more settled expectations should be.” *Dabico Airport Solutions Inc., v AXA power Aps*, IPR2025-00408, Paper 21 at 3. In particular, this aligns with the six-year bar on recovery in 35 U.S.C. §286. *Id.* Here, the ’339 Patent has been in force since October 2013, was and was filed in 2010. Ex. 1001 at 1. Considering this filing predates the America

Invents Act and the IPR regime itself, the settled expectation is that the '339 Patent is valid. Indeed, the '339 Patent has been in force for a dozen years and was unchallenged for a decade. Predating the present regime and not having received such a challenge for a decade demonstrates a strong settled expectation of validity.

Moreover, beyond the age of the Patent, it has been broadly licensed in the industry. Samsung, NXP, and MediaTek have each taken a license to the '339 Patent. *See Redstone Logics LLC v. Samsung Electronics Co., Ltd., et al.*, Case No. 2:23-cv-00485-JRG, Dkt. 40 (E.D. Tex. Oct. 8, 2024) (requesting dismissal given the parties “have resolved Plaintiff’s claims for relief...”); *Redstone Logics LLC v. NXP USA, Inc.*, Case No. 7:24-cv-00028-ADA-DTG, Dkt. 64 (W.D. Tex. May 23, 2025) (same); *Redstone Logics LLC v. MediaTek, Inc. et al*, Case No. 7:24-cv-00029-ADA-DTG, Dkt. 46 (W.D. Tex. Jun. 2, 2025) (same). These entities represent a significant section of the market for infringing, or practicing, multi-core processors, the logical conclusion is that the industry as a whole, including Apple, expects the '339 Patent is valid.

Given the age of the patent and the acceptance of it as valid by the industry, the parties have a strong settled expectation that the '339 Patent is valid.

E. Significant Weakness on Other Discretionary Denial Regime Also Favors Denial

As discussed above, the Petition presents serious efficiency concerns under *Finitv*, if proposed rule changes are accepted any institution could not be maintained, and the Petition largely reraises art that has already been considered. Each of these presents an independent basis to deny institution or at least seriously question the expenditure of limited Patent Office resources, together they present a clear basis for the Director deny institution under his discretion.

IV. CONCLUSION

Patent Owner respectfully requests that the Director exercise his discretion under Section 314(a) to deny institution. First, the Director should exercise his discretion under Section 314(a) to deny institution because of the status of the co-pending lawsuits in light of Petitioner's delay in filing the Petition. Second, the Director should exercise his discretion more generally under Section 314(a) to deny institution because the Petition does not present a compelling basis for institution.

Date: December 1, 2025

Respectfully submitted,

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IPR2025-01532 Request for Discretionary Denial
U.S. Patent No. 8,549,339

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on December 1, 2025, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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