

From: [Director Discretionary Decision](#)
To: [Jim Milkey](#); [Director Discretionary Decision](#); [Trials](#)
Cc: [jennifer.bailey@eriseip.com](#); [PTAB@eriseip.com](#); [robin.snader@eriseip.com](#); [adam.sandwell@eriseip.com](#); [christina.canino@eriseip.com](#); [kaiser-ptab@perkinscoie.com](#); [Marando-ptab@perkinscoie.com](#); [Millikan-ptab@perkinscoie.com](#); [Lembo-ptab@perkinscoie.com](#); [Cc: rak-headwater-raklaw.com](#); [A Ra Choi](#)
Subject: RE: IPR2025-01571 // request to file discretionary denial brief out of time
Date: Tuesday, December 30, 2025 10:26:17 AM

Patent Owner's discretionary denial brief will be treated as timely.

From: Jim Milkey <jmilkey@raklaw.com>
Sent: Monday, December 29, 2025 9:42 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>; Trials <Trials@USPTO.GOV>
Cc: jennifer.bailey@eriseip.com; PTAB@eriseip.com; robin.snader@eriseip.com; adam.sandwell@eriseip.com; christina.canino@eriseip.com; kaiser-ptab@perkinscoie.com; Marando-ptab@perkinscoie.com; Millikan-ptab@perkinscoie.com; Lembo-ptab@perkinscoie.com; Cc: rak-headwater-raklaw.com <rak_headwater@raklaw.com>; A Ra Choi <achoi@raklaw.com>
Subject: IPR2025-01571 // request to file discretionary denial brief out of time

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Dear Honorable Director and Board,

Patent Owner filed its discretionary denial brief in IPR2025-01571 on December 23, 2025, the same day Patent Owner's mandatory notices were approved (and after serving the brief on December 22, 2025, as noted in the email below). Patent Owner respectfully requests authorization to file the brief out of time.

Patent Owner requested Petitioners' positions on this request; the Amazon petitioners indicated they do not oppose, and Apple indicated it would not be able to provide an answer before the new year and currently takes no position on the request. Counsel for Petitioners are copied on this email.

Best regards,
Jim

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On Dec 22, 2025, at 6:41 PM, A Ra Choi <achoi@raklaw.com> wrote:

Dear Honorable Director and Counsel for Petitioners,

Please see the service link below for Patent Owner's request for discretionary denial and associated exhibits in IPR2025-01571.

Due to an administrative oversight, Patent Owner filed its power of attorney and mandatory notices in the above-captioned proceeding today, and the mandatory notices are still awaiting approval. But to avoid any prejudice to counsel or the Director, we are providing the request for discretionary denial now. Once the power of attorney and mandatory notices approved, we intend to seek authorization to file these documents via PTACTS.

<https://rak-dm01.raklaw.com/docmoto/share/Ti-5UKEHnMdi>

Best,

A Ra Choi

Legal Assistant to Jason Wietholter, Daniel Kolko, Minna Jay, Dale Chang, and

James Milkey

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