

From: [Director Discretionary Decision](#)
To: [Yam, Stephen K.](#); [Director Discretionary Decision](#)
Cc: [González López, José A.](#); [Carman, Derrick J.](#); [Vogel, Bryan J.](#); [Vogel, Bryan J.](#)
Subject: RE: IPR2026-00133; IPR2026-00134; IPR2026-00135 (Wabtec v. Railware) - Petitioner's request to file corrected discretionary denial opposition briefs and expunge original briefs
Date: Wednesday, March 4, 2026 9:32:36 AM

Petitioner may file corrected papers and the current filing will be expunged. Petitioner may not include any new arguments or evidence that was not included in the original filing.

From: Yam, Stephen K. <SYam@Venable.com>
Sent: Tuesday, March 3, 2026 3:32 PM
To: DRP_PTABDecision <DRP_PTABDecision@uspto.gov>; Trials <Trials@USPTO.GOV>
Cc: González López, José A. <JAGonzalezLopez@Venable.com>; Carman, Derrick J. <DCarman@RobinsKaplan.com>; Vogel, Bryan J. <BVogel@RobinsKaplan.com>; Vogel, Bryan J. <BVogel@RobinsKaplan.com>
Subject: IPR2026-00133; IPR2026-00134; IPR2026-00135 (Wabtec v. Railware) - Petitioner's request to file corrected discretionary denial opposition briefs and expunge original briefs

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Dear Director Squires and the Board,

Patent Owner has recently brought to Petitioner's attention that Petitioner's discretionary denial opposition briefs, filed yesterday (March 2, 2026), exceed the current 20-page limit. Petitioner's opposition briefs were inadvertently prepared under the original limit of 14,000 words for such briefing, rather than the current 20-page limit. This is shown by the Certificate of Compliance in each brief outlining the word count pursuant to 37 C.F.R. § 42.24(d). As such, Petitioner's exceeding of the 20-page limit was an inadvertent error and was not a strategic decision designed to provide any tactical advantage.

In light of this misunderstanding regarding the change to the briefing limits, Petitioner respectfully requests authorization to file, by March 5, 2026, corrected opposition briefs in compliance with the 20-page limit and containing no new arguments, and to have the original briefs (and any new exhibits no longer cited in the corrected briefs) expunged.

Petitioner solicited Patent Owner's position on this request, and Patent Owner indicated it opposes Petitioner's request to re-file corrected briefs conforming to the 20-page limit (but does not oppose the expunging of Petitioner's original briefs).

Petitioner apologizes for any inconvenience and appreciates the Director's and Board's consideration.

Best regards,

Steve Yam
Counsel for Petitioner

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