

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PLAID INC.,
Petitioner,

v.

SIX TREES CAPITAL LLC
and
SECURE AUTHENTICATION TECHNOLOGIES LLC,
Patent Owner.

IPR2026-00157
U.S. Patent No. 11,315,090

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

PATENT OWNER’S EXHIBIT LIST

Ex2001	Opposition to Defendant Plaid Inc.’s Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(6), <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Oct. 02, 2025), ECF No. 30
Ex2002	Reply in Support of Defendant Plaid Inc.’s Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(6), <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Oct. 16, 2025), ECF No. 32
Ex2003	Plaid Inc.’s Presentation for Hearing on Plaid’s Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(6), <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Feb. 26, 2026)
Ex2004	Secure Authentication Technologies LLC’s Presentation for Hearing on Plaid’s Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(6), <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Feb. 26, 2026)
Ex2005	District of Utah Local Patent Rules, https://www.utd.uscourts.gov/sites/utd/files/Patent%20Rules%20Final%202023.pdf (Dec. 2023)
Ex2006	U.S. Patent No. 10,268,995 to Zimmerman et al.
Ex2007	Max, https://web.archive.org/web/20220512230445/https://www.maxmyinterest.com/ (May 12, 2022)
Ex2008	Declaration of Gary Zimmerman
Ex2009	Memorandum Decision and Order Granting Plaid, Inc.’s Motion to Dismiss, <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Apr. 1, 2025), ECF No. 44
Ex2010	Judgment, <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Apr. 1, 2025), ECF No. 45

Ex2011	Stipulation re Order on Motion to Dismiss, <i>Secure Authentication Technologies LLC v. Plaid Inc.</i> , No. 2:25-cv-00514-DAK-JCB (D. Utah Apr. 14, 2025), ECF No. 48
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Patent Owner Secure Authentication Technologies LLC respectfully asks the Director to discretionarily deny institution on U.S. Patent No. 11,315,090. Patent Owner filed an initial brief on discretionary denial on March 16, 2026. Paper 8. Since then, the district court in the co-pending district-court litigation invalidated all claims of the '090 patent under 35 U.S.C. § 101. Ex2009; Ex2010. Patent Owner is not appealing the district court's decision, which will become final on May 1, 2026. Ex2011. As a result, a majority of the arguments made in Patent Owner's original brief on discretionary denial are now moot. *See* Paper 8. Further, there are no outstanding challenges to be resolved in this *inter partes* review because all challenged claims have already been invalidated. On April 15, 2026, the parties contacted the Patent Office and requested permission for Patent Owner to file this supplementary brief in order to inform the Office of these interceding events. The Director granted permission later that same day.

This case is similar to *Hulu, LLC v. Piranha Media Distribution, LLC*, IPR2024-01252, Paper 27 (Apr. 17, 2025) (informative). In *Hulu*, the district court similarly concluded that all claims challenged in the IPR proceedings were invalid under § 101. *Id.* at 2. The Patent Owner appealed the district court's decision to the Federal Circuit. *Id.* While that appeal was pending, the then-Acting Director vacated the Board's prior decision granting institution of IPR and then denied the petition, *id.* at 3, stating that "[b]ecause the patent claims already stand invalid, it is

unnecessary to institute another proceeding to review them for patentability under other grounds,” *id.* at 2. “Under these circumstances,” denying institution “is the better and more efficient approach.” *Id.* at 2–3.

The Acting Director’s reasoning in *Hulu* applies with even more force here. In *Hulu*, the Board had already granted institution before the Acting Director’s decision. The Acting Director therefore had to vacate the Board’s decision prior to denying institution. *Id.* at 3. Here, the Board has made no decisions (substantive or non-substantive) in this case. In *Hulu*, the Patent Owner appealed the district court’s decision to the Federal Circuit, and the appeal was pending when the Acting Director denied institution. *Id.* at 2. Here, Patent Owner has agreed to forgo any appeal of the district court’s decision. Based on all of the facts and circumstances, there’s an even stronger case for denial here than there was in *Hulu*. *See also UiPath, Inc. v. Rule 14 LLC*, IPR2025-00623, Paper 8 (July 29, 2025); *Google LLC v. TJTM Techs., LLC*, IPR2025-00586, Paper 12 (Aug. 14, 2025); *Google LLC v. Sandpiper CDN, LLC*, IPR2025-00952, Paper 10 (Oct. 10, 2025); *Google LLC v. Bootler, LLC*, IPR2025-00968, Paper 10 (Oct. 31, 2025). Patent Owner therefore respectfully asks the Director to deny institution.

Date: April 17, 2026

By: /s/ Todd M. Briggs

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CERTIFICATE OF COMPLIANCE WITH PAGE LIMIT

Patent Owner certifies that it was permitted to file the foregoing brief by the Director. Further, pursuant to 37 C.F.R. §42.24(d), Patent Owner also hereby certifies that the foregoing brief complies with the 20-page limit requirement under the Interim Director Discretionary Process for discretionary denial briefs filed after September 1, 2025, since Patent Owner's initial brief was 18-pages long and the foregoing brief is 2-pages long. *See* Interim Director Discretionary Denial Process § II.C.iii, available at <https://www.uspto.gov/patents/ptab/interim-director-discretionary-process>.

Date: April 17, 2026

Respectfully submitted,

By: /s/ Todd M. Briggs

Todd M. Briggs

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Patent Owner's Supplementary Request for Discretionary Denial was served via e-mail pursuant to 37 C.F.R. §42.6(e) in its entirety to all counsel of record, as follows:

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