

From: [Director Discretionary Decision](#)
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Subject: RE: IPR2026-00252 // Request for Authorization to File a Reply to Petitioner's Discretionary Denial Opposition
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Attachments: [image001.png](#)

The request is denied as moot

From: Jennifer Chagnon <JChagnon@sternekessler.com>
Sent: Thursday, May 28, 2026 5:00 PM
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Subject: IPR2026-00252 // Request for Authorization to File a Reply to Petitioner's Discretionary Denial Opposition

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IPR2026-00252 // US Patent No. 9,185,268

Honorable Director,

Patent Owner InterDigital seeks authorization to file a five-page Reply to Petitioner's Discretionary Denial Opposition brief, in order to address two issues:

- Dolby's contentions on Examiner error. InterDigital requests briefing on this issue in order to (a) clarify the prosecution history to confirm the Examiner had a correct understanding of the claim language and (b) to address Dolby's argument that the Examiner's search strategy was flawed. Good cause exists to address this topic because Petitioner's brief mischaracterizes the prosecution history, and InterDigital could not have addressed this alleged Examiner error prior to Petitioner's making the argument.
- The untimeliness of Dolby's stipulation, which was submitted the same day as Petitioner's Discretionary Denial Opposition brief. Good cause exists to address this topic because Dolby did not follow the Board's guidance to file any stipulation "as soon as practicable, so that the patent owner may address the impact of the stipulation in its discretionary denial brief." Interim Process, §I.D.

The parties have conferred and Petitioner opposes the requested additional briefing. Petitioner's

position as to the additional briefing is included at the end of the email.

Further, during the parties' meet and confer on this issue, the parties agreed to the following clarification of Petitioner's Opposition brief (Paper 14). Dolby's brief asserts, for example:

InterDigital does not identify any specific entities as subject to licenses. Instead, a declaration from InterDigital's Vice President and Associate General Counsel, Mr. Ryan Pohlman, refers vaguely to "10 different companies," without naming them or providing detail. See EX-2006.

Paper 14, at 14. Dolby's counsel clarified during the meet and confer that this argument (throughout the brief) was intended to convey that the *publicly* available evidence does not name particular companies. Counsel for Dolby and InterDigital agreed that particular companies are in fact named in the *confidential* version of Mr. Pohlman's declaration and further agreed that providing this clarification via email is sufficient to address the issue. The parties ask that this email be made of record to memorialize the clarification.

Petitioner's position regarding additional briefing is set forth below:

Petitioner Dolby Laboratories, Inc. opposes Patent Owner's request for authorization to file a five-page Reply. Patent Owner has not shown good cause for additional discretionary denial briefing.

As to examination error, Patent Owner identifies disagreement with Petitioner's responsive presentation of the prosecution history and search record, not a new issue warranting additional briefing. Petitioner's Opposition was responsive to Patent Owner's discretionary denial arguments and explained why the Office should review the challenged patent in view of the cited record.

Patent Owner's assertion that Petitioner mischaracterized the prosecution history does not establish good cause for another brief. The Director will have the parties' discretionary denial briefs, the Petition, the POPR, and the cited record evidence, and is fully capable of evaluating the prosecution history and search record without any further briefing.

As to Petitioner's stipulation, Patent Owner likewise has not shown good cause for a reply. The stipulation is in the record, its timing is apparent, and the Director can determine what weight to give the stipulation based on the existing record. This weight determination is for the Director, not a basis for five pages of additional briefing.

The parties can provide available times for a conference call if necessary.

Best regards,
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