

From: [Trials](#)
To: [Shedden, Sheridan](#); [Powell, Neil](#); [Hardman, Cynthia](#)
Subject: FW: IPR2025-00158, -00159, -00160, -00246, and -00247 - Authorization to File Motions to Dismiss
Date: Wednesday, February 11, 2026 2:43:16 PM

Please see below

Thanks
Andrew

From: Price, Jeffrey H. <jeffrey.price@hsfkramer.com>
Sent: Wednesday, February 11, 2026 2:36 PM
To: Trials <Trials@USPTO.GOV>
Cc: Fuller, Jenna <jenna.fuller@hsfkramer.com>; Hannah, James <james.hannah@hsfkramer.com>; Eng, Jeffrey <jeffrey.eng@hsfkramer.com>; PH-ResMed-CleveMed <PH-ResMed-CleveMed@paulhastings.com>
Subject: IPR2025-00158, -00159, -00160, -00246, and -00247 - Authorization to File Motions to Dismiss

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Your Honors,

CleveMed respectfully requests authority to file a Motion to Dismiss based on Petitioner's failure to properly identify all real parties in interest under 35 U.S.C. § 312(a)(2) and 37 C.F.R. § 42.8(b)(1). *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) (precedential).

In the Motion to Dismiss, Patent Owner intends to show that ResMed, Inc., which is the parent of Petitioner, should have been identified as a real party in interest in this proceeding. Patent Owner proposes that the Board grant the parties the same briefing schedule granted in *Aylo Freesites Ltd., v. Dish Techs LLC*, IPR2024-00940, which was a 7-page Motion to Dismiss, a 7-Page Opposition, and a 5-page Reply.

The parties have conferred, and Petitioner opposes this request. Consistent with the Board's rules that emails to the Board should not include the parties' arguments, CleveMed has not briefed this issue by email and has not included ResMed's lengthy, argumentative "position" about this issue. To the extent that the Board deems it necessary, CleveMed is available for a conference call on 2/12/26 from 9 am–1 pm and 3 pm–5pm, 2/13 and 2/17.

Kind regards,
Jeff Price (Reg. No. 69,141)
Counsel for Patent Owner, CleveMed

Jeffrey H. Price

Counsel

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