

**From:** [Director Discretionary Decision](#)  
**To:** [Birbach, Naomi](#); [Director Discretionary Decision](#); [Piana, Jayne C.](#)  
**Cc:** [MDT-Samsung-BR](#); [DG-Samsung-MDT](#); [Gordon, Lori A](#); [Ong, Andrew](#); [Robinson, Erick S.](#); [Dunn, Patrick M.](#); [Rafatijo, Homayoon](#); [Partridge, Jayme](#)  
**Subject:** RE: IPR2025-537, -538, -539, -540, -541, -542, -543, -544: Request for Reply  
**Date:** Monday, July 21, 2025 8:58:48 AM  
**Attachments:** [image001.png](#)

---

Petitioner is authorized to file a 2-page sur-reply in IPR2025-00537 through 00544, limited to addressing settled expectation arguments raised in Patent Owner's reply brief, due no later than Wednesday, July 23, 2025.

---

**From:** Birbach, Naomi <NBirbach@goodwinlaw.com>  
**Sent:** Friday, July 18, 2025 4:08 PM  
**To:** Director\_Discretionary\_Decision <Director\_Discretionary\_Decision@uspto.gov>; Piana, Jayne C. <JPiana@brownrudnick.com>  
**Cc:** MDT-Samsung-BR <MDT-Samsung-BR@brownrudnick.com>; DG-Samsung-MDT <DG-Samsung-MDT@goodwinlaw.com>; Gordon, Lori A <LoriGordon@goodwinlaw.com>; Ong, Andrew <AOng@goodwinlaw.com>; Robinson, Erick S. <ERobinson@brownrudnick.com>; Dunn, Patrick M. <PDunn@brownrudnick.com>; Rafatijo, Homayoon <HRafatijo@brownrudnick.com>; Partridge, Jayme <JPartridge@brownrudnick.com>  
**Subject:** RE: IPR2025-537, -538, -539, -540, -541, -542, -543, -544: Request for Reply

**CAUTION:** This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Dear Honorable Director,

Petitioners respectfully request authorization to file a two-page surreply in the above-captioned IPRs to respond to any arguments raised by Patent Owner concerning settled expectations in the reply briefing authorized in the email below. Petitioners propose filing their briefing on Wednesday, July 23, 2025. As noted in Patent Owner's communication to the Board dated July 16, Patent Owner does not oppose Petitioners' request.

Sincerely,

Naomi Birbach

**Naomi Birbach**



Goodwin Procter LLP  
The New York Times Building

620 Eighth Avenue  
New York, NY 10018  
o +1 212 459 7374  
f +1 212 656 1663  
[NBirbach@goodwinlaw.com](mailto:NBirbach@goodwinlaw.com) | [goodwinlaw.com](http://goodwinlaw.com)

---

**From:** Director\_Discretionary\_Decision <[Director\\_Discretionary\\_Decision@uspto.gov](mailto:Director_Discretionary_Decision@uspto.gov)>  
**Sent:** Thursday, July 17, 2025 3:10 PM  
**To:** Piana, Jayne C. <[JPiana@brownrudnick.com](mailto:JPiana@brownrudnick.com)>; Director\_Discretionary\_Decision <[Director\\_Discretionary\\_Decision@uspto.gov](mailto:Director_Discretionary_Decision@uspto.gov)>  
**Cc:** MDT-Samsung-BR <[MDT-Samsung-BR@brownrudnick.com](mailto:MDT-Samsung-BR@brownrudnick.com)>; DG-Samsung-MDT <[DG-Samsung-MDT@goodwinlaw.com](mailto:DG-Samsung-MDT@goodwinlaw.com)>; Gordon, Lori A <[LoriGordon@goodwinlaw.com](mailto:LoriGordon@goodwinlaw.com)>; Ong, Andrew <[A Ong@goodwinlaw.com](mailto:A Ong@goodwinlaw.com)>; Robinson, Erick S. <[ERobinson@brownrudnick.com](mailto:ERobinson@brownrudnick.com)>; Dunn, Patrick M. <[PDunn@brownrudnick.com](mailto:PDunn@brownrudnick.com)>; Rafatijo, Homayoon <[HRafatijo@brownrudnick.com](mailto:HRafatijo@brownrudnick.com)>; Partridge, Jayme <[JPartridge@brownrudnick.com](mailto:JPartridge@brownrudnick.com)>; Birbach, Naomi <[NBirbach@goodwinlaw.com](mailto:NBirbach@goodwinlaw.com)>  
**Subject:** RE: IPR2025-537, -538, -539, -540, -541, -542, -543, -544: Request for Reply

\*\*\*EXTERNAL\*\*\*

Patent Owner is authorized to file a 2-page reply in IPR2025-00537, -538, -539, -540, -541, -542, -543, and -544, due no later than Monday, July 21, 2025, limited to addressing the settled expectation arguments raised in Petitioner's opposition to Patent Owners request for discretionary denial.

---

**From:** Piana, Jayne C. <[JPiana@brownrudnick.com](mailto:JPiana@brownrudnick.com)>  
**Sent:** Wednesday, July 16, 2025 5:00 PM  
**To:** Director\_Discretionary\_Decision <[Director\\_Discretionary\\_Decision@uspto.gov](mailto:Director_Discretionary_Decision@uspto.gov)>  
**Cc:** MDT-Samsung-BR <[MDT-Samsung-BR@brownrudnick.com](mailto:MDT-Samsung-BR@brownrudnick.com)>; DG-Samsung-MDT <[DG-Samsung-MDT@goodwinlaw.com](mailto:DG-Samsung-MDT@goodwinlaw.com)>; Gordon, Lori A <[LoriGordon@goodwinlaw.com](mailto:LoriGordon@goodwinlaw.com)>; Ong, Andrew <[A Ong@goodwinlaw.com](mailto:A Ong@goodwinlaw.com)>; Robinson, Erick S. <[ERobinson@brownrudnick.com](mailto:ERobinson@brownrudnick.com)>; Dunn, Patrick M. <[PDunn@brownrudnick.com](mailto:PDunn@brownrudnick.com)>; Rafatijo, Homayoon <[HRafatijo@brownrudnick.com](mailto:HRafatijo@brownrudnick.com)>; Partridge, Jayme <[JPartridge@brownrudnick.com](mailto:JPartridge@brownrudnick.com)>; Birbach, Naomi <[NBirbach@goodwinlaw.com](mailto:NBirbach@goodwinlaw.com)>  
**Subject:** IPR2025-537, -538, -539, -540, -541, -542, -543, -544: Request for Reply

**CAUTION:** This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Dear Honorable Director,

Patent Owner respectfully requests authorization to file a two-page Reply limited to responding to the

“settled expectation” arguments presented in Petitioners’ Response to Discretionary Denial in the above-captioned IPRs. Contrary to Petitioners’ contention below, their “settled expectations” arguments in the briefs filed this week were not included in the June briefs and thus are new, and both contradicted by the record and legally incorrect. Thus, good cause exists. Patent Owner does not oppose a 2-page Sur-Reply for Petitioners.

Petitioners oppose the requested relief. Petitioners arguments supporting their “settled expectations” position are each supported by the record and each has sufficient legal basis for the reasons set forth in Petitioners responsive briefs. Moreover, each fact underlying Petitioners’ arguments concerning the “settled expectations” of the parties were known to Patent Owner at the time it filed its briefs on Discretionary Denial. Petitioners finally note that the Director has already denied the Parties request for reply and sur-reply briefing in these matters by email on June 23, 2025. The Parties prior request was premised on Patent Owner’s expectation that Petitioners’ would advance in their briefing in IPR Nos. 2025-00537 – 544 the same arguments presented in Petitioners briefs filed on June 11, 2025 on June 17, 2025 opposing discretionary denial in co-pending proceedings IPR2025-00535 and IPR2025-00536, respectively. Petitioners’ June briefs included the substantively same arguments on “settled expectations” that are set forth in the briefs filed this week.

Sincerely,

**brownrudnick**

**Jayne C. Piana**

Partner  
Co-Chair of Patent Trial and Appeals Board (PTAB) Practice  
Brown Rudnick LLP  
M: 832.868.3379  
[jpiana@brownrudnick.com](mailto:jpiana@brownrudnick.com)  
[www.brownrudnick.com](http://www.brownrudnick.com)

\*\*\*\*\*

The information contained in this electronic message may be legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Brown Rudnick LLP, (617) 856-8200 (if dialing from outside the US, 001-(617)-856-8200) and purge the communication immediately without making any copy or distribution.

To the extent Brown Rudnick is a "controller" of the "personal data" (as each term is defined in the European General Data Protection Regulation (EU/2016/679) or in the UK's Data Protection Act 2018) you have provided to us in this and other communications between us, please see our privacy statement and summary [here](#) which sets out details of the controller, the personal data we have collected, the purposes for which we use it (including any legitimate interests on which we rely), the persons to whom we may transfer the data and when and how we intend to transfer it outside the European Economic Area.

\*\*\*\*\*

\*\*\*\*\*

This message was sent from Goodwin Procter LLP and is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.

\*\*\*\*\*