

From: [Director_Discretionary_Decision](#)
To: [Brandon R. Theiss](#); [Director_Discretionary_Decision](#)
Cc: [John B. Campbell](#); [Casey L. Shomaker](#); [Emily Tannenbaum](#); "[kharden@munckwilson.com](#)"; "[wdunwoody@munckwilson.com](#)"; "[mwilson@munckwilson.com](#)"; "[Alan Block](#)"; [AA_Intellectual_Ventures](#); "[SWA-IV@munckwilson.com](#)"; [Daniel H. Golub](#); [Heather L. King](#)
Subject: RE: IPR2025-00786
Date: Tuesday, August 19, 2025 3:11:19 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Patent Owner is authorized to file a 5-page reply in IPR2025-00785 and IPR2025-00786, due no later than Thursday, August 21, 2025, limited to addressing the arguments raised below. Petitioner is authorized to file a 5-page sur-reply, due no later than Monday, August 25, 2025.

Please note the response addresses both emails sent.

From: Brandon R. Theiss <BTheiss@vklaw.com>
Sent: Tuesday, August 19, 2025 2:25 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Cc: John B. Campbell <jcampbell@McKoolSmith.com>; Casey L. Shomaker <cshomaker@McKoolSmith.com>; Emily Tannenbaum <etannenbaum@McKoolSmith.com>; 'kharden@munckwilson.com' <kharden@munckwilson.com>; 'wdunwoody@munckwilson.com' <wdunwoody@munckwilson.com>; 'mwilson@munckwilson.com' <mwilson@munckwilson.com>; 'Alan Block' <ABlock@McKoolSmith.com>; AA_Intellectual_Ventures <AA_Intellectual_Ventures@mcKoolSmith.com>; 'SWA-IV@munckwilson.com' <SWA-IV@munckwilson.com>; Daniel H. Golub <DGolub@vklaw.com>; Heather L. King <HKing@vklaw.com>
Subject: IPR2025-00786

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Dear Honorable Director,

Patent Owner hereby requests leave to file a Reply to Petitioners' Brief In Opposition To Patent Owner's Request For Discretionary Denial ("Petitioners' Brief"). Patent Owner requests leave to file a Reply limited to five pages and limited to the following two issues.

First, Patent Owner requests leave to refute Petitioners' allegation that the '785 Patent has not been licensed in Petitioners' technology space. *See*, Petitioners' Brief, at 2 and 32-35.

Second, Patent Owner requests leave to refute Petitioners' allegation that "[t]he large number and vast scope of the patents asserted in the district court litigation weighs against discretionary denial." *See*, Petitioners' Brief, at 33-35.

A good cause exists because the Patent Owner could not reasonably have anticipated that the Petitioner would have advanced these arguments.

Patent Owner agrees to a five-page Sur-Reply by Petitioners responsive only to Patent Owners' arguments made in the Reply.

Patent Owner has consulted with Petitioners, who do not oppose Patent Owner's request for leave.

Respectfully submitted,
Brandon R. Theiss



Intellectual Property Law

Brandon R. Theiss
Shareholder

30 S. 17th Street, 18th Floor
Philadelphia, PA 19103

BTheiss@vklaw.com
D 215.255.9241 O 215.568.6400
vklaw.com



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