

From: [Trials](#)
To: [Thomas Finch](#); [Houston, Michael R.](#); [Director Discretionary Decision](#); [Trials](#)
Cc: [alek.siliunas@icemiller.com](#); [Gundersen, Jeff](#); [thomas.walsh@icemiller.com](#); [Dodd, Kimberly K.](#); [tom.rammer@icemiller.com](#); [GeneracIPR](#); [Joe Staley](#); [Tim Ziolkowski](#); [Taylor R. Stemler](#); [Scott Amy](#); [Champion Power Litigation](#); [Jacob Fritz](#); [Hoekel, Jennifer](#); [daisy.manning@huschblackwell.com](#); [HarborFreight-Champion-IPRs](#)
Subject: RE: IPR2025-00805 (U.S. Patent No. 10,393,034) - Petitioners' Request for Authorization to file a Reply to the POPR
Date: Monday, September 8, 2025 12:00:52 PM
Attachments: [image002.png](#)

Counsel –

Petitioner's request for authorization to file a 5-page preliminary reply on the issues identified below is *granted*, with the briefing due on or before September 15, 2025.

Patent Owner is *authorized* to file a 5-page preliminary sur-reply, due on or before September 29, 2025.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Thomas Finch <t.finch@pkhip.com>
Sent: Friday, September 5, 2025 5:58 PM
To: Houston, Michael R. <MHouston@foley.com>; [Director_Discretionary_Decision](#) <Director_Discretionary_Decision@uspto.gov>; [Trials](#) <Trials@USPTO.GOV>
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Subject: RE: IPR2025-00805 (U.S. Patent No. 10,393,034) - Petitioners' Request for Authorization to file a Reply to the POPR

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Dear Director/Board:

As noted below, Patent Owner opposes Petitioner's request. Patent Owner disagrees with Petitioner's assertion that any arguments in the POPR are contradicted by the intrinsic evidence, and moreover disputes that a reply is proper. If requested, Patent Owner can provide further details via email or phone conference, or as otherwise requested.

Sincerely,
Thomas Finch
Back-up Counsel for Patent Owner

Tom Finch | Senior Associate
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From: Houston, Michael R. <MHouston@foley.com>
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Subject: IPR2025-00805 (U.S. Patent No. 10,393,034) - Petitioners' Request for Authorization to file a Reply to the POPR

Dear Director/Board,

Petitioners write to seek authorization to file a 5-page reply to the Patent Owner's Preliminary Response ("POPR") to address Patent Owner's arguments regarding the "gaseous fuel source" and "gaseous fuel supplied from" claim terms in IPR2025-00805. *See* POPR, pp. 26-31. Good cause for Petitioners' request stems from these POPR arguments being directly contradicted by the intrinsic evidence of record, including the specification, claims, and prosecution history. The issues sought to be addressed in the reply, if authorized, are relevant to both the discretionary denial decision requested by Patent Owner, as well as an institution

decision, if reached. Given the prohibition on argument being included in emails to the Board, Petitioners have kept this description brief, but can provide further details regarding same in a follow-up email, a phone conference with the Board, or as otherwise requested.

Petitioners do not oppose a 5-page sur-reply from Patent Owner. Petitioners will be ready to submit such a reply within three business days of authorization, or by whatever other deadline the Director/Board may prescribe.

Counsel for Patent Owner, copied on this email, has indicated that Patent Owner opposes this request. If a teleconference is desired, the parties will confer and provide times of availability for a call next week.

Sincerely,
Michael Houston
Lead Counsel for Petitioners in IPR2025-00805

Michael R. Houston
Partner

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