

From: [Director Discretionary Decision](#)
To: [Dietrich, Blake](#); [Director Discretionary Decision](#); [Steve Pappas](#)
Cc: [St. Clair, Nate](#); [Peschel, Leisa](#); [Collins, Pam](#); [PTAB Account](#); [Richard Bembem](#); slim@krameralberti.com; rmattson@krameralberti.com; Jason Fitzsimmons; dalberti@krameralberti.com; KramerAlberti-RavenWhite@krameralberti.com
Subject: RE: IPR2025-00809, -00810 // Request for Sur-Reply to Patent Owner's Discretionary Denial Reply Brief
Date: Wednesday, July 30, 2025 3:15:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Petitioner is authorized to file a 3-page sur-reply reply in IPR2025-00809 and IPR2025-00810, due no later than Friday, August 1, 2025.

From: Dietrich, Blake <bdietrich@jw.com>
Sent: Wednesday, July 30, 2025 12:51 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>; Steve Pappas <SPAPPAS@sternekessler.com>
Cc: St. Clair, Nate <nstclair@jw.com>; Peschel, Leisa <lpeschel@jw.com>; Collins, Pam <pcollins@jw.com>; PTAB Account <PTAB@sternekessler.com>; Richard Bembem <RBEMBEN@sternekessler.com>; slim@krameralberti.com; rmattson@krameralberti.com; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; dalberti@krameralberti.com; KramerAlberti-RavenWhite@krameralberti.com
Subject: RE: IPR2025-00809, -00810 // Request for Sur-Reply to Patent Owner's Discretionary Denial Reply Brief

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IPR2025-00809 // U.S. Patent No. 11,562,402
IPR2025-00810 // U.S. Patent No. 10,594,823

Honorable Board,

Petitioner respectfully requests a three-page sur-reply to Patent Owner's reply regarding its discretionary denial brief in each of IPR2025-00809 and IPR2025-00810 to address the following:

1. Patent Owner's new arguments regarding its incorrect statements to the Board about the parallel district court proceeding as well as new arguments regarding the stay's impact on the *Fintiv* analysis;
2. Patent Owner's new arguments regarding the supposed settled expectations of the parties; and
3. Patent Owner's new citations to previously uncited evidence and authority in purported support for its new discretionary denial arguments.

Patent Owner submitted new arguments and evidence in the five-page reply authorized below to which Petitioner has had no opportunity to respond/rebut. If authorized, Petitioner can submit its sur-reply within three business days of authorization.

Patent Owner has indicated that it opposes Petitioner's request. If a conference call is needed, the parties can provide their availability.

Thank you,

Blake Dietrich
Counsel for Petitioner

Blake Dietrich | Partner
2323 Ross Avenue, Suite 600 | Dallas, TX 75201
(214) 953-5992 *direct* | (214) 661-6892 *fax*



From: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Sent: Wednesday, July 23, 2025 3:35 PM
To: Steve Pappas <SPAPPAS@sternekessler.com>; Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Cc: Dietrich, Blake <bdietrich@jw.com>; St. Clair, Nate <nstclair@jw.com>; Peschel, Leisa <lpeschel@jw.com>; Collins, Pam <pcollins@jw.com>; PTAB Account <PTAB@sternekessler.com>; Richard Bembem <RBEMBEN@sternekessler.com>; slim@krameralberti.com; rmattson@krameralberti.com; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; dalberti@krameralberti.com; KramerAlberti-RavenWhite@krameralberti.com
Subject: RE: IPR2025-00809, -00810 // Request for Reply to Petitioner's Discretionary Denial Opposition Brief

Caution: **External Email.

Patent Owner is authorized to file a 5-page reply in IPR2025-00809 and IPR2025-00810, due no later than Monday, July 28, 2025, limited to addressing the arguments raised below.

From: Steve Pappas <SPAPPAS@sternekessler.com>
Sent: Wednesday, July 23, 2025 2:21 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Cc: bdietrich@jw.com; nstclair@jw.com; lpeschel@jw.com; pcollins@jw.com; PTAB Account <PTAB@sternekessler.com>; Richard Bembem <RBEMBEN@sternekessler.com>;

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Subject: IPR2025-00809, -00810 // Request for Reply to Petitioner's Discretionary Denial Opposition Brief

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IPR2025-00809 // U.S. Patent No. 11,562,402

IPR2025-00810 // U.S. Patent No. 10,594,823

Honorable Board,

Patent Owner requests a five-page reply to Petitioner's discretionary denial opposition brief in each of IPR2025-00809 and IPR2025-00810 to address the following:

1. Clarification of the timing of the stay order in the parallel district court proceeding, which issued around the same time that Patent Owner's brief was filed, and the order's impact on the *Fintiv* analysis;
2. Petitioner's characterization of the Board's precedent with respect to settled expectations of the parties; and
3. The impact of recent discretionary denial decisions issued after the filing of Patent Owner's brief, including *Realtek Semiconductor Corp. v. Parkervision, Inc.*, IPR2025-00324, Paper 11 (PTAB June 25, 2025).

To clarify the factual record, Patent Owner also requests to submit evidence of the date and time that the stay order in the parallel district court proceeding was issued. If authorized, Patent Owner can submit its reply within three business days of authorization.

Petitioner has indicated that it opposes Patent Owner's request. If a conference call is needed, the parties can provide their availability.

Thank you,
Steve Pappas
Counsel for Patent Owner



Steve Pappas
Director
[Sterne, Kessler, Goldstein & Fox P.L.L.C.](https://www.sterne-kessler-goldstein-fox.com)
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