

**From:** [Director Discretionary Decision](#)  
**To:** [Jennifer Chagnon](#); [Director Discretionary Decision](#)  
**Cc:** [colin.heideman@morganlewis.com](#); [jeremy.anapol@morganlewis.com](#); [christie.matthaei@morganlewis.com](#); [nathan.reeves@morganlewis.com](#); [logan.young@morganlewis.com](#); [2jrr@knobbe.com](#); [2dph@knobbe.com](#); [amazon-audiopod@morganlewis.com](#); [BoxSEAZNL2185L2LP@knobbe.com](#); [BoxSEAZNL2185L3LP@knobbe.com](#); [sreynolds@daignaultiyer.com](#); [Jason Fitzsimmons](#); [Michael Specht](#); [Nirav N. Desai](#); [Richard M. Bemben](#); [Xiaowei Jin](#); [ksprenger@daignaultiyer.com](#); [cbiyer@daignaultiyer.com](#); [ehadi@daignaultiyer.com](#); [Imeroueh@daignaultiyer.com](#); [PTAB Account](#); [DI-AudioPod@daignaultiyer.com](#)  
**Subject:** RE: IPR2025-01003 & 01041 // Request for Reply to Petitioner's Discretionary Denial Briefing  
**Date:** Thursday, September 25, 2025 9:49:54 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Patent Owner is authorized to file a 5-page reply in IPR2025-01003 and IPR2025-01041 due no later than Friday, September 26, 2025, limited to addressing the arguments raised below. Petitioner is authorized to file a 5-page sur-reply due no later than Tuesday, September 30, 2025.

---

**From:** Jennifer Chagnon <JChagnon@sternekessler.com>  
**Sent:** Thursday, September 25, 2025 8:40 AM  
**To:** Director\_Discretionary\_Decision <Director\_Discretionary\_Decision@uspto.gov>  
**Cc:** colin.heideman@morganlewis.com; jeremy.anapol@morganlewis.com; christie.matthaei@morganlewis.com; nathan.reeves@morganlewis.com; logan.young@morganlewis.com; 2jrr@knobbe.com; 2dph@knobbe.com; amazon-audiopod@morganlewis.com; BoxSEAZNL2185L2LP@knobbe.com; BoxSEAZNL2185L3LP@knobbe.com; sreynolds@daignaultiyer.com; Jason Fitzsimmons <JFITZSIMMONS@sternekessler.com>; Michael Specht <MSPECHT@sternekessler.com>; Nirav N. Desai <NDESAI@sternekessler.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Jennifer Chagnon <JChagnon@sternekessler.com>; Xiaowei Jin <XJin@sternekessler.com>; ksprenger@daignaultiyer.com; cbiyer@daignaultiyer.com; ehadi@daignaultiyer.com; Imeroueh@daignaultiyer.com; PTAB Account <PTAB@sternekessler.com>; DI-AudioPod@daignaultiyer.com  
**Subject:** IPR2025-01003 & 01041 // Request for Reply to Petitioner's Discretionary Denial Briefing

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

**IPR2025-01003 // U.S. Patent No. 9,729,907**  
**IPR2025-01041 // U.S. Patent No. 10,735,488**

Honorable Director,

Patent Owner requests permission to file a short 6-page reply to Petitioner's Responses to Patent Owner's Brief on Discretionary Denial, in each of the referenced proceedings, in order to address:

1. Petitioner's arguments regarding alleged APA and due process violations;
2. New discretionary denial cases issued since PO's brief, including e.g., *Sun Pharma v. Nivagen Pharma*, IPR2025-00893, Paper 18 (Sept. 19, 2025).

The parties have conferred and Petitioner does not oppose so long as Petitioner receives a commensurate 6-page sur-reply. Patent Owner does not oppose Petitioner's request for a sur-reply.

Best regards,  
Jennifer Chagnon  
Counsel for Patent Owner



**Jennifer Meyer Chagnon**  
Director  
**Sterne, Kessler, Goldstein & Fox P.L.L.C.**  
1101 K Street NW, 10<sup>th</sup> Floor, Washington, DC 20005  

---

**Email:** [jchagnon@sternekessler.com](mailto:jchagnon@sternekessler.com)  
**Direct:** 202.772.8890 **Main:** 202.371.2600

*Notice: The information in this electronic transmission (including any attachments) may contain confidential or legally privileged information and is intended solely for the individual(s) or entity(ies) named above. If you are not an intended recipient or an authorized agent, you are hereby notified that reading, distributing, or otherwise disseminating or copying, or taking any action based on the contents of this transmission is strictly prohibited. Any unauthorized interception of this transmission is illegal under the law. If you have received this transmission in error, please immediately notify the sender by return email and then destroy all copies of the transmission.*