

**From:** [Director Discretionary Decision](#)  
**To:** [Kyle Friesen](#); [Director Discretionary Decision](#)  
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**Subject:** RE: Tesla v. GVV, IPR2025-01034 & -1035 - Request for Auth to File Replies to Oppositions to Discretionary Denial Briefs  
**Date:** Tuesday, September 30, 2025 8:39:20 AM

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Patent Owner is authorized to file a 5-page reply in IPR2025-01034 and IPR2025-01035 due no later than Thursday, October 2, 2025, limited to addressing the arguments raised below. Petitioner is authorized to file a 5-page sur-reply due no later than Monday, October 6, 2025.

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**From:** Kyle Friesen <kfriesen@hpcllp.com>  
**Sent:** Monday, September 29, 2025 2:36 PM  
**To:** Director\_Discretionary\_Decision <Director\_Discretionary\_Decision@uspto.gov>  
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**Subject:** Tesla v. GVV, IPR2025-01034 & -1035 - Request for Auth to File Replies to Oppositions to Discretionary Denial Briefs

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Dear Honorable Director:

Patent Owner respectfully requests authorization to file a 5-page Reply Brief to Petitioner's Opposition to Discretionary Denial in the above-referenced proceedings. The proposed Reply Briefs would be limited to the following issues and their proper impact on the discretionary denial decision and would be identical to one another:

1. Petitioner's new arguments regarding alleged errors during the original prosecution of the challenged patents;
2. Petitioner's new evidence and arguments regarding time-to-trial statistics and other predictors of trial timing;
3. Petitioner's mischaracterization and critical omissions regarding the state of the law as it relates to Petitioner's reliance on combinations involving large numbers of references to show obviousness;
4. Petitioner's new evidence and arguments regarding the extent of the parties' investment in discovery in the Parallel Litigation; and
5. Whether the Director is empowered to make discretionary denial decisions with or

without a decision on the merits of the Petition.

Patent Owner proposes these Replies be due three (3) business days from the date on which the Director authorizes the filing.

Patent Owner has conferred with counsel for Petitioner, and Petitioner does not oppose the request to the extent that Petitioner receives a Sur-Reply, limited to addressing the same issues, also with a 5-page limit and 3-business-day deadline, similar to what was recently authorized in IPR2025-00943 and -944, in which the Parties recently submitted Replies and Sur-Replies on discretionary denial.

Respectfully submitted,

**Kyle Friesen**

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