

From: [Trials](#)
To: [Kaiser, Jessica \(Perkins Coie\)](#); [Trials](#); [Al-Salam, Ramsey M. \(Perkins Coie\)](#); [Manske, William](#); [Metzcar, Jeffrey](#); [Jaglowksi, David](#); [Butler, Marla R.](#); [IP Docket](#); [Himebaugh, Andy](#); [Rose, Kate \(Perkins Coie\)](#); [CMarando@perkinscoie.com](#); [Takagi, Moeka \(Perkins Coie\)](#); [Director_DI](#)
Subject: RE: Caption Health v. University of British Columbia, IPR2025-01066: Request for Supplemental Brief Regarding Revvo
Date: Tuesday, December 9, 2025 10:23:10 AM
Attachments: [image001.png](#)

Counsel,

Regarding IPR2025-01066, supplemental briefing addressing the impact of the recent decision in *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20, is not needed at this time.

Regards,

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



From: Kaiser, Jessica (Perkins Coie) <JKaiser@perkinscoie.com>
Sent: Tuesday, November 25, 2025 5:45 PM
To: Trials <Trials@USPTO.GOV>; Al-Salam, Ramsey M. (Perkins Coie) <RAlsalam@perkinscoie.com>; Manske, William <William.Manske@thompsonhine.com>; Metzcar, Jeffrey <Jeff.Metzcar@thompsonhine.com>; Jaglowksi, David <David.Jaglowksi@thompsonhine.com>; Butler, Marla R. <Marla.Butler@thompsonhine.com>; IP Docket <IPDocket@thompsonhine.com>; Himebaugh, Andy <Andy.Himebaugh@thompsonhine.com>; Rose, Kate (Perkins Coie) <KateRose@perkinscoie.com>; CMarando@perkinscoie.com; Takagi, Moeka (Perkins Coie) <MTakagi@perkinscoie.com>; Director_DI <Director_DI@uspto.gov>
Subject: Caption Health v. University of British Columbia, IPR2025-01066: Request for Supplemental Brief Regarding Revvo

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Dear Honorable Board,

Per the feedback from Ms. Williams below, we understand that for IPR2025-01066, we need to

request supplemental briefing from the panel to address the Director's recent precedential decision in *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20 (Nov. 3, 2025) (precedential). There is good cause to allow a supplemental brief because that decision issued after the POPR was filed, and so PO could not have addressed that decision previously.

Patent Owner requests 5 pages for its supplemental brief and to file it within four business days of the brief being authorized. PO understands Petitioner opposes, and Petitioner's position is contained in the email string below.

Respectfully,

Jessica Kaiser
PARTNER

Perkins Coie

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From: Trials <Trials@USPTO.GOV>

Sent: Tuesday, November 25, 2025 2:18 PM

To: Kaiser, Jessica (DEN) <JKaiser@perkinscoie.com>; Al-Salam, Ramsey M. (SEA) <RAlsalam@perkinscoie.com>; Manske, William <William.Manske@thompsonhine.com>; Metzcar, Jeffrey <Jeff.Metzcar@thompsonhine.com>; Jaglowski, David <David.Jaglowski@thompsonhine.com>; Butler, Marla R. <Marla.Butler@thompsonhine.com>; IP Docket <IPDocket@thompsonhine.com>; Himebaugh, Andy <Andy.Himebaugh@thompsonhine.com>; Rose, Kate (PAO) <KateRose@perkinscoie.com>; Marando, Christopher (WDC) <CMarando@perkinscoie.com>; Takagi, Moeka (PAO) <MTakagi@perkinscoie.com>; Director_DI <Director_DI@uspto.gov>

Cc: Trials <Trials@USPTO.GOV>

Subject: RE: Caption Health v. University of British Columbia, IPR2025-01066, -01422: Request for Supplemental Brief Requesting Discretionary Denial

Counsel,

As stated in the original authorization, Petitioner's 5-page brief addressing the impact of *Revvo* is due no later than November 25, 2025 and Patent Owner's 5-page preliminary sur-reply is due no later than December 1, 2025, limited to addressing the same issues.

However, in light of the holiday schedule, we take Patent Owner's inquiry as a request to extend the briefing schedule. As such, we amend the schedule as requested by Patent Owner such that Petitioner's brief is due November 28 and Patent Owner's sur-reply is due December

5.

Our authorization is only in regards to IPR2025-01422. IPR2025-01066 has been previously referred to a PTAB panel; additional briefing in that case is within the purview of that panel.

Regards,

Tina Williams
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Kaiser, Jessica (Perkins Coie) <JKaiser@perkinscoie.com>
Sent: Monday, November 24, 2025 4:08 PM
To: Trials <Trials@USPTO.GOV>; Al-Salam, Ramsey M. (Perkins Coie) <RAlsalam@perkinscoie.com>; Manske, William <William.Manske@thompsonhine.com>; Metzcar, Jeffrey <Jeff.Metzcar@thompsonhine.com>; Jaglowski, David <David.Jaglowski@thompsonhine.com>; Butler, Marla R. <Marla.Butler@thompsonhine.com>; IP Docket <IPDocket@thompsonhine.com>; Himebaugh, Andy <Andy.Himebaugh@thompsonhine.com>; Rose, Kate (Perkins Coie) <KateRose@perkinscoie.com>; CMarando@perkinscoie.com; Takagi, Moeka (Perkins Coie) <MTakagi@perkinscoie.com>; Director_DI <Director_DI@uspto.gov>
Subject: RE: Caption Health v. University of British Columbia, IPR2025-01066, -01422: Request for Supplemental Brief Requesting Discretionary Denial

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Dear Director Squires,

We understand that Petitioner's brief is due on November 28, not November 25. If this is correct, PO's brief would be due the next business day (on December 1). Patent Owner respectfully requests it be afforded the same amount of time for its sur-reply. In other words, if Petitioner's brief is due on November 28, PO requests its brief be due on December 5, 2025.

In addition, Patent Owner requested that the briefs be authorized for both of the above-captioned IPRs, but the Board's email mentioned only IPR2025-01422. Can you please clarify if the briefs are authorized to be filed in both IPRs?

Respectfully,

Jessica Kaiser
PARTNER

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From: Trials <Trials@USPTO.GOV>

Sent: Thursday, November 20, 2025 8:08 AM

To: Kaiser, Jessica (DEN) <JKaiser@perkinscoie.com>; Al-Salam, Ramsey M. (SEA) <RAlsalam@perkinscoie.com>; Manske, William <William.Manske@thompsonhine.com>; Metzcar, Jeffrey <Jeff.Metzcar@thompsonhine.com>; Jaglowski, David <David.Jaglowski@thompsonhine.com>; Butler, Marla R. <Marla.Butler@thompsonhine.com>; IP Docket <IPDocket@thompsonhine.com>; Himebaugh, Andy <Andy.Himebaugh@thompsonhine.com>; Rose, Kate (PAO) <KateRose@perkinscoie.com>; Marando, Christopher (WDC) <CMarando@perkinscoie.com>; Takagi, Moeka (PAO) <MTakagi@perkinscoie.com>

Cc: Trials <Trials@USPTO.GOV>

Subject: RE: Caption Health v. University of British Columbia, IPR2025-01066, -01422: Request for Supplemental Brief Requesting Discretionary Denial

Counsel,

Petitioner is authorized to file a 5-page brief in IPR2025-01422 that is due no later than November 25, 2025, limited to addressing the impact of *Revvo* on that proceeding. Patent Owner is authorized to file a 5-page preliminary sur-reply due no later than December 1, 2025, limited to addressing the same issues.

The parties should file their briefs as papers in P-TACTS.

Regards,

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



UNITED STATES
PATENT AND TRADEMARK OFFICE ®

From: Kaiser, Jessica (Perkins Coie) <JKaiser@perkinscoie.com>

Sent: Friday, November 14, 2025 3:18 PM

To: Director_DI <Director_DI@uspto.gov>; Trials <Trials@USPTO.GOV>

Cc: Manske, William <William.Manske@thompsonhine.com>; Metzcar, Jeffrey

<Jeff.Metzcar@thompsonhine.com>; Jaglowski, David <David.Jaglowski@thompsonhine.com>; Butler, Marla R. <Marla.Butler@thompsonhine.com>; IP Docket <IPDocket@thompsonhine.com>; Himebaugh, Andy <Andy.Himebaugh@thompsonhine.com>; Al-Salam, Ramsey M. (Perkins Coie) <RAlsalam@perkinscoie.com>; Rose, Kate (Perkins Coie) <KateRose@perkinscoie.com>; CMarando@perkinscoie.com; Takagi, Moeka (Perkins Coie) <MTakagi@perkinscoie.com>

Subject: Caption Health v. University of British Columbia, IPR2025-01066, -01422: Request for Supplemental Brief Requesting Discretionary Denial

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Dear Director Squires,

Patent Owner writes to respectfully request leave to file a supplemental request for discretionary denial in each of the above-referenced IPRs based on the Director's recent precedential decision in *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20 (Nov. 3, 2025) (precedential). There is good cause to allow a supplemental request for discretionary denial because that decision issued after PO filed its request for discretionary denial in both IPRs, and so PO could not have addressed that decision in its requests. In addition, the decision in *Revvo* issued after the Deputy Director referred IPR2025-01066 to a merits panel, but that decision warrants discretion being further considered and that petition being discretionarily denied prior to a decision on the merits.

Patent Owner requests 3 pages for its supplemental brief and to file it within four business days of the brief being authorized.

Patent Owner has conferred with Petitioner, and Petitioner opposes Patent Owner's request for supplemental briefing. Petitioner maintains that *Reevo Techs.* is inapplicable to the Petitions at issue. Petitioner also opposes Patent Owner's request on procedural grounds given the status of the identified IPR proceedings. If the Director is inclined to entertain Patent Owner's request, Petitioner requests a hearing to address Petitioner's objections to Patent Owner's request. If the Director grants Patent Owner's request, Petitioner requests authorization to file a responsive brief with an equal page allotment and time to respond.

If the Director needs additional information regarding good cause to grant this request, Patent Owner requests a conference call, and the parties can confer and provide times of mutual availability.

Respectfully,

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