

**From:** [Director Discretionary Decision](#)  
**To:** [Nicholas Stephens](#); [Director Discretionary Decision](#)  
**Cc:** [PTAB](#); [Peter Lambrianakos](#); [Vincent Rubino](#); [Alfred Fabricant](#); [Julian Pymeto](#); [IPR50095-0243IP1](#); [IPR50095-0242IP1](#); [IPR50095-0247IP1](#); [IPR50095-0244IP1](#); [IPR50095-0245IP1](#); [IPR50095-0242IP2](#); [IPR50095-0246IP1](#)  
**Subject:** RE: IPR2025-00983, -984, -991, -1070, -1103, -1158, and -1221 - Request for Supplemental Briefing to Address Material Litigation Developments  
**Date:** Monday, October 6, 2025 12:04:16 PM

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The request is moot for -00983, -00984, and -00991. You may file the orders in the remaining cases. No additional briefing is authorized.

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**From:** Nicholas Stephens <nstephens@fr.com>  
**Sent:** Thursday, October 2, 2025 4:53 PM  
**To:** Director\_Discretionary\_Decision <Director\_Discretionary\_Decision@uspto.gov>  
**Cc:** PTAB <PTAB@fabricantllp.com>; Peter Lambrianakos <plambrianakos@fabricantllp.com>; Vincent Rubino <vrubino@fabricantllp.com>; Alfred Fabricant <ffabricant@fabricantllp.com>; Julian Pymeto <jpymeto@fabricantllp.com>; IPR50095-0243IP1 <IPR50095-0243IP1@fr.com>; IPR50095-0242IP1 <IPR50095-0242IP1@fr.com>; IPR50095-0247IP1 <IPR50095-0247IP1@fr.com>; IPR50095-0244IP1 <IPR50095-0244IP1@fr.com>; IPR50095-0245IP1 <IPR50095-0245IP1@fr.com>; IPR50095-0242IP2 <IPR50095-0242IP2@fr.com>; IPR50095-0246IP1 <IPR50095-0246IP1@fr.com>  
**Subject:** IPR2025-00983, -984, -991, -1070, -1103, -1158, and -1221 - Request for Supplemental Briefing to Address Material Litigation Developments

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Dear Director,

Petitioner writes to inform the Office of material developments this week regarding the parties' district court litigation referenced in Patent Owner's Requests for Discretionary Denial in each of IPR2025-00983, -00984, -00991, -01070, -01103, -01158, and -01221. Specifically, the following events occurred:

1. 9/29 – U.S. District Court for the Eastern District of Texas issued an order transferring the litigation to the Northern District of Texas.
2. 10/1
  - Patent Owner filed a notice voluntarily dismissing the Northern District of Texas litigation.
  - Patent Owner filed a new action against Petitioner in the U.S. District Court for the Western District of Texas.

Because referral decisions in these proceedings are expected imminently, the parties have cooperated to bring these developments to the Director's attention as soon as practicable. Further,

in light of these developments, Petitioner respectfully requests authorization to file a 3-page supplemental brief in each proceeding that would address the impact of the developments on the *Fintiv* factors. Petitioner respectfully submits that the request is justified by good cause because the developments materially impact discretionary considerations, and yet, the developments only occurred after discretionary-denial briefing was submitted.

The parties have conferred and Patent Owner confirmed that it does not oppose Petitioner’s request provided that it is authorized to file 3-page replies to Petitioner’s briefs (which Petitioner likewise does not oppose). The parties can provide their availability for a conference call if desired.

Respectfully,  
Nicholas Stephens

Counsel for Petitioner Apple Inc.

**Nicholas Stephens**  
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