UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NORTH SAILS GROUP, LLC,
Petitioner

v.

TEAM NEW ZEALAND LIMITED,
Patent Owner.

PGR2025-00062
U.S. Patent No. 12,110,089

PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL

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I. INTRODUCTION

North Sails Group, LLC ("Petitioner") has elected to file a 100 page Petition (Paper No. 2) in this case that contains so many grounds attacking U.S. Patent No. 12,110,089 ("the '089 patent") that it cannot possibly adequately develop all of these grounds, even in 100 pages of substantive content. The asserted grounds are not only excessive in number, but are also excessively redundant. Given that institution of trial in this case would necessitate the issuance of a final written decision addressing *all* of these many grounds, this would not represent a judicious use of the Patent Trial and Appeal Board's ("PTAB" or "Board") resources. Moreover, it would also represent an unfair burden on Team New Zealand, Ltd. ("Patent Owner"). This conclusion is only reinforced by the fact that there is no parallel litigation involving the '089 patent that could be effectively resolved by conducting a trial.

II. THE PETITION PRESENTS AN UNREASONABLE AND UNNECESSARY NUMBER OF GROUNDS

As set forth in the March 26, 2025 Memorandum entitled Interim Processes for PTAB Workload Management,[1] the Director will exercise her discretion under 35 U.S.C. § 324(a) in a manner that preserves the ability of the Patent Trial Appeal

[1] *Interim Process for PTAB Workload Management*, Acting Director Coke Morgan Stewart, March 26 2025 ("*Stewart Memo*"). Ex. 2001.

Board (PTAB) to meet its statutory duties. Ex. 2001, p. 1. Along these lines, the *Stewart Memo* states: "[t]hese processes aim to improve PTAB efficiency, maintain PTAB capacity to conduct AIA proceedings, reduce pendency in *ex parte* appeals . . ." *Id*., p. 3.

Similarly, the Patent Trial and Appeal Board Consolidated Trial Practice Guide – November 2019[2] ("*Trial Practice Guide*") advises petitioners that:

> [T]he Board's experience is that the presentation of an overwhelming number of issues tends to detract from the argument being presented, and can otherwise cause meritorious issues to be missed or discounted. Thus, parties should avoid submitting a repository of all the information that a judge could possibly consider, and instead focus on concise, well-organized, easy-to-follow arguments supported by readily identifiable evidence of record.

Trial Practice Guide, p. 39 (emphasis added).

> The Board retains the discretion to deny institution of the petition as a whole under 35 U.S.C. §§ 314(a) and 325(d) under appropriate circumstances, even when the petition includes at least one claim subject to a challenge that otherwise meets the criteria for institution . . . the panel will evaluate all the challenges and determine whether, in the interests of efficient administration of the Office and integrity of the patent system,

[2] https://www.uspto.gov/patents/ptab/trials/practice-guides.

> the entire petition should be denied. See 37 C.F.R. §§ 316(b), 326(b).

Id., p. 64.

A. The Number of Asserted Grounds is Excessive

Despite the above guidance, Petitioner takes a scattershot approach and alleges a multitude of grounds of unpatentability in its 100 page petition, many of which are redundant, clearly underdeveloped, and otherwise deficient on their face. These grounds are summarized in the following table. *See* Petition, pp. 1-3.

Ground	References	Basis	Claims Challenged
1	N/A	35 U.S.C. §112(b)	1-23
2.	N/A	35 U.S.C. §112(a)	1-23
3.	Prior Sales to Team New Zealand (2019)	35 U.S.C. §102	1-7, 9-23
4.	Prior Sales to Stars & Stripes (1988)	35 U.S.C. §102	1-3, 10, 11, 13, 14, 23
5.	Prior Sales to Alinghi (2009)	35 U.S.C. §102	1-3, 10, 11, 13, 14, 23
6.	MSP	35 U.S.C. §102	1-12, 19-23
7.	Linville	35 U.S.C. §102	1-3, 7, 10, 11, 16-20, 22, 23
8.	MSP in view of Cali	35 U.S.C. §103	4-5
9.	MSP in view of Cali and/or DKG	35 U.S.C. §103	6, 9, 12
10.	MSP or Linville in view of Third Region Prior Art	35 U.S.C. §103	13, 14, 15
11.	MSP in view of Linville	35 U.S.C. §103	16-18
12.	MSP in view of any of Twin Skin Prior Art	35 U.S.C. §103	22

13.	Linville in view of Cali	35 U.S.C. §103	4, 5
14.	Linville in view of Keire and DKG	35 U.S.C. §103	6, 9, 12
15.	Linville in view of Keire	35 U.S.C. §103	17
16.	Linville in view of MSP	35 U.S.C. §103	18
17.	Linville in view of Twin-Skin Prior Art	35 U.S.C. §103	22
18.	Third Region Prior Art	35 U.S.C. §102	1-3, 13-16, 23
19.	Stars and Stripes Sails	35 U.S.C. §102	1-3, 10, 11, 13-14, 23
20.	Alinghi 2009- 2010 Sails	35 U.S.C. §102	1, 3, 13-16, 23
21.	Third Region Prior Art including Conrad and Smale	35 U.S.C. §103	13-15

However, the lengthy summary table above does not even begin to tell the whole story.

Petitioner asserts numerous alternative grounds based on both anticipation and obviousness, and proposes numerous alternative combinations, involving not only individual references, but entire categories of references. When one parses the numerous permutations asserted oner in the Petition, one can immediately envisage no less than ***126 separate grounds***.

For example, Petitioner asserts a combination of "MSP" in view of "any of the Twin Skin Prior Art." (see ground 12 above). The "Twin Skin Prior Art" is actually a group of *six* individual references. Petition, p. 53. This represents at least ***30*** possible combinations of the MSP and "Twin Skin Prior Art" references. The same is true of the grounds based on the combination of Linville and the "Twin

Skin Prior Art" (see ground 17 above), which represents at least ***an additional 30*** possible combinations of references.

Another one of the more egregious examples are the multiple grounds asserting the "Third Region Prior Art." This "Third Region Prior Art" is actually a collection of at least *four* different references, although *10* different exhibits are cited as allegedly constituting these four individual references. Petition, p. 78. Petitioner alleges a combination of "MSP or Linville in view of Third Region Prior Art" (see ground 10 above). Assuming for the sake of argument that this group includes only four individual references, one can immediately envisage at least ***26*** possible combinations of prior art references represented by this ground alone. Petitioner also alleges that claims 1–3, 13–16 and 23 are anticipated and/or obvious over the Third Region Prior Art alone (see ground 18 above; Petition, p. 78). This represents at least ***13 additional*** combinations of prior art references represented by this ground.

B. The Grounds are Excessively Redundant

Perhaps recognizing the weaknesses in the majority of the asserted grounds, Petitioner throws as much at the wall as possible in the hopes that something might stick. The result is the above-mentioned excessive and voluminous nature of the asserted grounds.

Independent claims 1 and 23 of the '089 patent are the subject of no fewer than 24 separate grounds for unpatentability, with no fewer than 20 of those grounds based upon the assertion of different prior art references, and no fewer than five grounds based on 35 U.S.C. § 112. These redundant grounds directed to independent claims 1 and 23 can be summarized as follows.

Ground	References	Basis	Number of actual grounds
1	N/A	35 U.S.C. §112(b)	3 (at least 3 different terms challenged)
2.	N/A	35 U.S.C. §112(a)	2 (enablement and written description)
3.	Prior Sales to Team New Zealand (2019)	35 U.S.C. §102	1
6.	MSP	35 U.S.C. §102	2 (anticipation and obviousness alleged)
7.	Linville	35 U.S.C. §102	1
18.	Third Region Prior Art	35 U.S.C. §102	13 (anticipation and obviousness asserted over 4 different refs.)
19.	Stars and Stripes Sails	35 U.S.C. §102	1
20.	Alinghi 2009-2010 Sails	35 U.S.C. §102	1
			TOTAL = 24

When it comes to the dependent claims, things go from bad to worse. For example, dependent claims 13, 14 and 15 are challenged on the basis of no fewer than *44* different prior art-based grounds. Dependent claim 22 is challenged on the basis of at least *34* different prior art grounds.

The voluminous and excessive nature of the asserted grounds alone warrants the exercise of discretionary denial by the Director. *Adaptics Ltd. v. Perfect Co*., IPR2018-01596, Paper No. 20, pp. 17-18 (P.T.A.B. March 6, 2019) (Informative)(". . . where a petition contains voluminous or excessive grounds, Office guidance indicates '[t]he panel will evaluate the challenges and determine whether, in the interests of efficient administration of the Office and integrity of the patent system (see 35 USC § 316(b)), the entire petition should be denied under 35 USC § 314(a)'") (citation omitted). It is both an inefficient use of the Board's resources to conduct a single trial on all 126 grounds presented in the Petition, and it is an unreasonable burden on Patent Owner to be subjected to a trial of this magnitude.

III. THE GROUNDS ARE PLAGUED BY A LACK OF PARTICULARITY

Because it would be impossible to adequately develop all of the grounds contained in the Petition given the applicable word count limits, the excessively voluminous grounds suffer from lack of the requisite particularity.

A petition for post grant review must identify "in writing and with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim." 35 U.S.C. § 322(a)(3); 37 C.F.R. § 42.204(b)(4) (specifying that the petition must, "for unpatentability based on prior art, the petition must specify

where each element of the claim is found in the prior art. For all other grounds of unpatentability, the petition must identify the specific part of the claim that fails to comply with the statutory grounds raised and state how the identified subject matter fails to comply with the statute").

The Federal Circuit has emphasized the need to set forth grounds in the petition ***with particularity***. *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016); *Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1369 (Fed. Cir. 2016) ("It is of the utmost importance that petitioners in the IPR proceedings adhere to the requirement that the initial petition identify 'with particularity' the 'evidence that supports the grounds for the challenge to each claim.'"(quoting 35 U.S.C. § 312(a)(3)). Likewise, the Board has also exercised discretionary denial in such instances. *Invue Security Products, Inc. v. Mobile Tech., Inc.*, IPR2019-00078, Paper No. 7, pp. 16-17 (P.T.A.B. May 1, 2019) ("In view of Petitioner's voluminous obvious grounds that also lack particularity, the Petition appears to provide an opportunity to fit evidence together into a coherent explanation that supports an argument that demonstrates a reasonable likelihood that Petitioner would prevail. We decline to do so.").

The following will identify examples of this lack of particularity, but given the applicable page limits of this brief, it is not meant as a comprehensive inventory of these deficiencies.

A. 35 U.S.C. § 112(b) Grounds

The grounds set forth in the Petition fail to clearly identify precisely which claim terms appearing in which claims are allegedly indefinite. For example, Petitioner argues on pages 13–14 of the Petition that:

> Independent claims 1 and 23, utilize the terms "elasticity" and "stiffness", and equates these terms with Young's modulus ("modulus") and failure strain. However, a POSITA would find that these modulus and failure strain measurements lead to different conclusions as to whether or not there is infringement (EX1003, ¶52).

The grounds then go on to argue that the definiteness of the terms "*average* stiffness" and "*average* elasticity" are indefinite. Petitioner additionally argues that "Collie '089 conflates elasticity/modulus/stiffness/failure strain/higher deformability and treats these terms as being interchangeable." Petition, p. 14. Therefore, the grounds are ambiguous as to exactly which terms are allegedly indefinite (i.e., stiffness, elasticity, average stiffness, average elasticity, modulus, failure strain and/or higher deformability?). Further, the ground fails to explain how the Examiner erred in finding compliance with requirements of 35 U.S.C. §112.

Petitioner also argues that there is "confusion to how one would determine where one region ends and another region begins. Accordingly independent claims 1 and 23, and all the dependent claims should be found indefinite." Petition, p. 17.

In this regard, the Petition includes a discussion of "luff region," "remainder of the sail," and "third region." *Id*., p. 16. The grounds are unclear as to which of these terms are being alleged as indefinite.

B. 35 U.S.C. § 112(a) Grounds

Petitioner makes conclusory assertions that the claims lack enablement and written description support in the present specification. Petition, pp. 17-18. Each individual ground occupies a single paragraph in the Petition. *Id*. These grounds are clearly incomplete on their face.

For example, with respect to enablement, the grounds are entirely devoid of any discussion whatsoever as to whether a Person of Ordinary Skill in the Art ("POSA") would be able to practice the claimed invention without *undue experimentation*. *Minerals Separation Ltd. v. Hyde,* 242 U.S. 261, 270 (1916). Also, the enablement grounds fail to contain any analysis whatsoever of the *Wands* factors. *In re Wands,* 858 F.2d 731, 737 (Fed. Cir. 1988). The written description grounds fail to adequately explain how the contents of the application as originally filed, including the original claims, do not describe the claimed invention in sufficient detail such that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. *Pfaff v. Wells Elecs., Inc.,* 525 U.S. 55, 68 (1998). Neither ground explains how the Examiner erred in finding compliance with requirements of 35 U.S.C. §112.

C. Alleged Anticipation of Claims 1-2 and 19-23 Over MSP

This ground is set forth in the Petition on pages 41-55. This ground lacks a clear mapping of each and every feature recited in the above identified claims, and where each individual feature can be found in the MSP reference. For example, with respect to claims 1 and 23, the grounds do not explain where the claimed head and tack of the sail can be found in the MSP reference. *Invue*, IPR2019-00078, Paper No. 7 at pp. 16-17.

D. Alleged Obviousness of Claims 4-5, 6, 9 and 12 Over MSP in view of Cali and/or DKG

This ground, appearing at pages 55–56 of the Petition, and occupying barely two paragraphs, fails to set forth an adequate basis within the *Graham v. John Deere* framework to establish the obviousness of these claims. For example, the grounds fail to clearly identify differences between the claimed subject matter and the disclosure of the primary reference to MSP, and how a POSA would have modified MSP in view of the cited secondary references to arrive at the requirements of these claims, with a reasonable expectation of success.

E. Alleged Obviousness of Claim 22 Over MSP

This single-paragraph ground appears on page 58 of the Petition. Claim 21 requires, *inter alia*, "wherein the luff region does not comprise any carbon fibers oriented within 15° of parallel to the luff . . ." However, this ground only alleges in conclusory fashion that: "[i]n the alternative, claim 21 is obvious over MSP and

the obvious design choice to use a blend of Kevlar and carbon fibers and the remainder of the sail. . ." This conclusory assertion is clearly insufficient to establish the obviousness of the requirements of claim 22 in a manner that complies with the *Graham v. John Deere* framework.

F. Alleged Obviousness of Claim 22 Over MSP in view of Twin-Skin Prior Art and Linville in view of Twin-Skin Prior Art

As previously noted, "Twin-Skin Prior Art" is defined in the Petition as a collection of six individual references. Petition, p. 53. These conclusory one paragraph grounds fails to even specifically identify which "Twin-Skin Prior Art" reference or references are being combined with MSP, much less map where each feature of claim 22 can be found in *any* of the Twin-Skin Prior Art references. Petition, pp. 58 and 75, respectively. These grounds are clearly undeveloped. *Invue,* IPR2019-00078, Paper No. 7 at pp. 16-17.

G. Alleged Obviousness of Claims 4-5 Over Linville in view of Cali

This ground, on pages 69–70 of the Petition, fails to clearly identify differences between the claimed subject matter and the disclosure of the primary reference to Linville, and how a POSA would have modified Linville in view of Cali to arrive at the requirements of these claims, with a reasonable expectation of success. For example, Petitioner argues in conclusory fashion: "A POSITA would have been motivated to combine the teachings of Cali with Linville because Cali provides elasticity property information on common sailcloth materials of similar

design as the materials of Linville. Thus, claim 4 is obvious over Linville in view of Cali (EX1003, ¶129)." Petition, p. 69.

H. Alleged Anticipation of Claims 1-3, 10, 11, 13-14 and 23 Over Stars and Stripes '88 Sails

This ground occupies a single paragraph on pages 83–84 of the Petition. There is clearly no mapping explaining where each and every feature of the challenge claims can be found in the cited art. This ground is clearly underdeveloped, and relies almost exclusively on conclusory expert witness testimony.

I. Alleged Anticipation of Claims 1-3, 13-16 and 23 Over Alinghi 2009-2010 Sails

This ground, as set forth on pages 84 – 89 of the Petition, is yet another example of the Petition amounting to an invitation to participate in a scavenger hunt to find the various features of the claims in the cited art instead of providing a clear mapping of each of the claimed features in each of the challenge claims. This ground also relies almost exclusively on conclusory and unsubstantiated expert witness testimony.

IV. THE GROUNDS EXCESSIVELY RELY UPON EXPERT WITNESS TESTIMONY AND ASSERTIONS ABOUT THE GENERAL KNOWLEDGE OF A POSA

The grounds set forth in the Petition are replete with instances where Petitioner has attempted to supply facts that are missing from the cited art with

unsubstantiated and conclusory assertions about the knowledge of a POSA and/or expert witness testimony.

As set forth in the *Stewart Memo*, one of the factors to be considered in the exercise of discretionary denial by the Director is "[t]he extent of the petition's reliance on expert testimony." Ex. 2001, p. 2. As explained in the *Trial Practice Guide*:

> Expert testimony, however, cannot take the place of a disclosure in a prior art reference, when that disclosure is required as part of the unpatentability analysis. For example, because "[a] claim is anticipated only if each and every element as set forth in the claim there is found, either expressly or inherently described, in a single prior art reference," *Verdegaal Bros., Inc. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631 (Fed. Cir. 1987), a petitioner asserting anticipation cannot rely on its expert to supply disclosure of a claim element that is not expressly or inherently present in the reference. Similarly, in an obviousness analysis, conclusory assertions from a third party about general knowledge in the art cannot, without supporting evidence of record, supply a limitation that is not evidently and indisputably within the common knowledge of those skilled in the art. *K/S Himpp v. Hear-Wear Techs., LLC*, 751 F.3d 1362, 1365 (Fed. Cir. 2014).

The Board has echoed this sentiment finding that conclusory and unsupported expert witness testimony is to be afforded little weight and cannot be

properly relied upon to provide the necessary elements to support a claim of unpatentability in these proceedings. *Xerox Corp. v. Bytemark, Inc.*, IPR2022-00624, Paper No. 9, pp. 15-16 (P.T.A.B. August 24, 2022) (Precedential).

Despite this guidance, the grounds set forth in the Petition rely extensively on just such improper and excessive expert witness testimony and/or bald assertions about the knowledge of a POSA. Not only that, but all three declarants cited by Petitioner are currently employed by Petitioner or its parent company, and include current or former executives. The following is a non-exhaustive listing of examples of the reliance upon such testimony or assertions in the Petition:

- With regard to the MSP reference: "A POSITA would understand that it is common to illustrate sails using different shading to differentiate heavier, more stretch-resistant materials (darker shades) from lighter, stretchier materials (lighter shades) (EX1003, ¶66)." Petition, p. 43;
- With regard to the MSP reference: "A POSITA would understand that orienting panels of the first material at an angle as in the lower right side of the sail as shown in Fig. 4.11 of MSP places the more elastic bias of the fabric parallel to the luff resulting in greater elasticity along the luff. This technique is common knowledge in the sailmaking industry (EX1003, ¶80)." Petition, p. 46;

- With regard to the MSP reference: "A POSITA would understand that two plies of the same material would be twice as stretch resistant (or stiffer) as one ply (EX1003, ¶91)." Petition, p. 49;
- With regard to the MSP reference: "A POSITA would understand the teaching of the panels along the leech at the left side of Fig. 4.11 are oriented generally in a different direction from the orientation of the panels in the lower half of the luff on the right side of the sail (EX1003, ¶94). The different orientations of the warp fibers in the lower luff area would make this area stretchier in the direction from tack to clew, than the leech in the same direction (EX1003, ¶94)." Petition, pp. 51-52;
- With regard to the MSP reference: "A POSITA would know that the luff of MSP Fig. 4.10 would be elastic in all directions including in the luff direction (EX1003, ¶99)." Petition , p. 54;
- Regarding MSP in view of Linville: "It is well known that denier density is directly proportional to stretch resistance and inversely proportional to how much reversible stretch a fiber can undergo (EX1003, ¶103)." Petition, p. 56;
- With regard to the Linville reference: "It is well known to a POSITA that fabric denier density is proportional to stiffness in the direction

of the fibers, and is inversely proportional to elasticity (EX1003, ¶111). The terms "denier density" or "denier per inch" (DPI) are commonly used in the art to describe different levels of stiffness (EX1003, ¶111)." Petition, p. 62;

- With regard to the Linville reference: "A POSITA would understand that denier density is directly proportional to stretch resistance (modulus) and inversely proportional to how much reversible stretch a fiber can undergo before breaking (failure strain) (EX1003, ¶117). Therefore, Linville in view of common knowledge of a POSITA anticipates claim 16, by disclosing the gradient required by the claim (EX1003, ¶117)." Petition, p. 64;
- With regard to the Linville reference: "A POSITA would understand that a sailcloth fabric with a higher yarn density would also be thicker than a sailcloth panel with a lower yarn density, as more yarns generally equates with thicker fabric. Thus, Linville also anticipates claim 19, since it teaches the use of a thinner material in the luff region relative to the reminder of the sail." (no expert testimony cited). Petition, p. 66;

- Regarding Linville in view of Cali: "It is common knowledge of a POSITA that failure strain is just another way of characterizing elasticity or stiffness of a material (EX1003, ¶129)." Petition, p. 69;
- Regarding Linville in view of Cali: "a POSITA would understand that denier density is just another way of characterizing stiffness or elasticity, as is failure strain, and that denier density is roughly directly proportional to stiffness and inversely proportional to elasticity (EX1003, ¶103)." Petition, p.69;
- With regard to the Stars and Stripes '88 reference: "A POSITA looking at this photograph would recognize these light and dark regions as having the elasticity characteristics described above (EX1007, ¶37)." Petition, p. 83;
- With regard to the Stars and Stripes '88 reference: "As noted above, these sails include the requirements that the luff region is more elastic than the remainder of the sail (claims 1 and 23), that the second material is 2-20 (or 25) times stiffer than the first material (claims 1 and 23), that the sail is a mainsail (claim 2), that the sail is a headsail (claim 3), that the first material extends at least 50-90% of the distance between the head and the tack as shown (claim 10), that the first material extends about 10-50% the width of the sail as shown (claim

11), that the first material extends more to the leech in the middle of the sail as shown (claim 12), and that the third material (catenary) at a boundary of the luff region and the remainder of the sail is stiffer than the luff region and the remainder of the sail) (claims 13 and 14) (EX1007, ¶¶39-47)." (Relying on improper incorporation by reference of unsubstantiated expert witness testimony). Petition pp. 83-84; and

- Regarding MSP or Linville in view of Third Region Prior Art: "The density of threads is directly proportional to the stiffness of the sail in a given region (EX1005, ¶66)." Petition, p. 89.

V. THERE IS NO CURRENT DISTRICT COURT LITIGATION INVOLVING THE '089 PATENT THAT COULD BE RESOLVED BY A TRIAL

Director review apparently aims to conserve the resources of the PTAB, and to shield patent owners from unnecessary trials. As explained above, the barrage of grounds proposed by the Petitioner is truly excessive and unnecessary. If trial is instituted in this case, a trial on *all* of the multitude of grounds set forth in the Petition must be conducted. *PGS Geophysical AS v. Iancu*, 891 F.3d 1354, 1360 (Fed. Cir. 2018) ("[the statute] require[s] a simple yes-or-no institution choice respecting a petition, embracing all challenges included in the petition . . . ."). A proceeding of this scope is not only a time consuming and costly endeavor for the

Patent Owner, but is also not a judicious use of Board resources. This is especially true here given that there is no parallel litigation involving the challenged patent that could be effectively resolved by conducting such a trial. *Sportradar AG v. Sportscastr Inc.*, IPR2025-00313, Paper No. 19, p. 2 (Director July 16, 2025) ("Under these circumstances, it is an inefficient use of Board resources to review claims of a patent that are no longer being asserted in district court. These considerations favor discretionary denial.").

VI. CONCLUSION

For the reasons explained herein, discretionary denial of the Petition for Post Grant Review in PGR2025-00062 is appropriate and is respectfully requested.

Date: September 18, 2025

Respectfully submitted,
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CERTIFICATE OF COMPLIANCE

This Patent Owner's Request for Discretionary Denial complies with the page limit requirement of no more than 20 pages.

Date: September 18, 2025

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CERTIFICATE OF SERVICE

In compliance with 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing Patent Owner's Request for Discretionary Denial was served by email correspondence on the following correspondence email addresses of record for Patent Owner:

aolson@olsonip.com; and

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Date: September 18, 2025

Respectfully submitted,

/Teresa C. Rodriguez/
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TABLE OF EXHIBITS

Exhibit No.	Description
2001	Memo on Interim Processes for PTAB Workload Management dated March 26, 2025