

Patent Owner's Brief in Support of Request for Discretionary Denial  
IPR2025-01362 (U.S. Patent No. 8,782,282)

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CIENA CORPORATION,  
Petitioner,

v.

K.MIZRA LLC,  
Patent Owner.

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Case IPR2025-01362  
Patent 8,782,282

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**BRIEF IN SUPPORT OF PATENT OWNER'S REQUEST  
FOR DISCRETIONARY DENIAL**

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<b>No.</b>	<b>Exhibit Description</b>
<b>2001</b>	USPTO's February 28, 2025 bulletin
<b>2002</b>	APJ Boalick's March 24, 2025 Memorandum
<b>2003</b>	First Amended Complaint (Dkt. 34)
<b>2004</b>	Oct. 21, 2025 Hearing Transcript
<b>2005</b>	Hausman Declaration
<b>2006</b>	Unified Patents <i>Ex Parte</i> Re-examination Request
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<b>2008</b>	March 26, 2025 Stewart Memorandum
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<b>2012</b>	Excerpted USPTO Reexam Statistics

## I. INTRODUCTION

Patent Owner K.Mizra LLC (“K.Mizra” or “Patent Owner”), respectfully requests that the Director exercise his discretion and deny institution of this Petition for *inter partes* review of U.S. Patent No. 8,782,282 (Ex. 1001, “the ’282 patent”) under 35 U.S.C. § 314(a). Co-pending with the Petition is a district court action for patent infringement of the ’282 patent in the Northern District of Georgia (the “NDGA Case”). Pet. at 87-88. It would be inefficient and risk inconsistent rulings to allow the Petition to proceed.

First, based on application of the *Fintiv* factors as detailed below, due to Petitioner Ciena Corporation’s (“Ciena” or “Petitioner”) substantial delay in filing the Petition, and the significant risk of substantial overlapping issues between the instant Petition and the parallel district court action, denial is warranted. Moreover, despite this overlap, Petitioner has failed to quell concerns of inefficiency and inconsistent rulings by timely submitting a *Sotera* stipulation. In addition, as will be addressed in detail in Patent Owner’s forthcoming preliminary response, the prior art references underpinning the single ground under which Petitioner seeks review also do not teach at least one of the claim elements of the ’282 patent, a fatal flaw warranting denial.

Second, the Board should also exercise its discretion and deny institution under the factors that Acting Director Stewart outlined in her March 26, 2025 memorandum, which lists, among others, the following non-exclusive factors:

- The strength of the unpatentability challenge;
- The extent of the Petition's reliance on expert testimony; and
- Settled expectations of the parties, such as the length of time the claims have been in force.

Each of these additional factors further support discretionary denial here: (1) the merits of the Petition are weak; (2) the Petitioner extensively relies on and largely parrots an expert declaration; and (3) the claims have been in force for over a decade and (despite Petitioner having notice of the infringement claims for nearly two years) have never been subject to challenge until now.

## **II. INSTITUTION SHOULD BE DENIED UNDER *FINTIV***

The Director should exercise his discretion to deny institution under *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020) (precedential) ("*Fintiv I*"); *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020) (precedential as to § II.A) ("*Sotera*"); and their progeny, in accordance with the USPTO's February 28, 2025 guidance withdrawing former Director Vidal's June 21, 2022 memorandum entitled "Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court

Litigation.” See Ex. 2001 (withdrawing former Director Vidal’s memorandum and citing *Fintiv I* and *Sotera*); see also Ex. 2002 (March 24, 2025 memorandum by Chief APJ Boalick providing further guidance on the rescission).

Under those authorities, the Director may deny institution of petitions when related litigation is co-pending and an IPR would not be “an effective and efficient alternative to district court litigation.” *NHK Spring Co. v. Intri-Plex Techs., Inc.*, IPR2018-00752, Paper 8 at 20 (PTAB Sept. 12, 2018) (precedential) (quoting *Gen. Plastic Indus. Co. v. Canon Kabushiki Kaisha*, IPR2016-01357, Paper 19 at 16-17 (PTAB Sept. 6, 2017) (precedential)). The Director should balance six factors when evaluating whether to deny a petition under *Fintiv*. *Fintiv I* at 5-6. “These factors relate to whether efficiency, fairness, and the merits support the exercise of authority to deny institution in view of an earlier trial date in the parallel proceeding.” *Id.* When analyzing and weighing these factors, the Director takes “a holistic view of whether efficiency and integrity of the system are best served by denying or instituting review.” *Id.*

As is addressed below, on balance, the *Fintiv* factors weigh in favor of denying the Petition.

**A. *Fintiv* Factor 1: Petitioner has not indicated that it intends to file for any pre-institution or post-institution stays.**

Petitioner has not requested a pre-institution stay in the NDGA Case, nor has it given any indication that it plans to do so. Petitioner has also not given any indication that it intends to request a post-institution stay. In addition, Petitioner has requested *inter partes review* of only a subset of the patents-at-issue in the NDGA case, while two of the patents in the NDGA Case are subject to IPR petitions, the third patent is not. Ex. 2003 (First Amended Complaint (“FAC”)), at ¶¶ 1, 32-45, 107-147.

Because there is no evidence indicating that a pre- or post-institution stay will be sought or granted in the parallel NDGA Case, and the fact that one of the patents has not been challenged, the first *Fintiv* factor weighs in favor of denying institution.

**B. *Fintiv* Factor 2: Trial in the parallel district court action is estimated to occur contemporaneously with the Board's deadline for a final written decision.**

“If the court's trial date is earlier than the projected statutory deadline, the Board generally has weighed this fact in favor of exercising authority to deny institution.” *Fintiv I* at 9. Here, the second *Fintiv* factor does not favor institution, or in the very least, is neutral.

Based on the Notice of Filing Date Accorded issued on September 11, 2025, the deadline for a final written decision in this IPR is March 11, 2027, which may

be extended to September 13, 2027 for good cause or in the case of joinder. 37 C.F.R. § 42.100(c). In the NDGA Case, trial has not yet been scheduled, nor have the parties been allowed to conduct any discovery in the meantime owing to currently pending motions to dismiss brought by Petitioner. At the October 21, 2025 hearing on those motions, the Court indicated it expects an order before the end of the year (Ex. 2004 (Oct. 21, 2025 Hrg. Tr.) at 39:4-20), after which Patent Owner expects the district court to set a trial date and discovery to begin in earnest. Data from that court provides an average median time to trial of 33.97 months based upon the average time to trial for civil cases over the last three years. Ex. 2002 (March 24, 2025 memorandum by Chief APJ Boalick opining that “in applying *Fintiv*, the Board may consider any evidence that the parties make of record that bears on the proximity of the district court’s trial date... including median time-to-trial statistics for civil actions in the district court in which the parallel litigation resides.”); *see also* Ex. 2011 (NDGA Statistics)<sup>1</sup>. Patent Owner sees no reason that the parties cannot complete trial preparation in that time frame. Given the parallel NDGA case’s filing date of November 25, 2024, the NDGA trial will therefore likely be set for

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[https://www.uscourts.gov/sites/default/files/document/fcms\\_na\\_distprofile0630.2025.pdf](https://www.uscourts.gov/sites/default/files/document/fcms_na_distprofile0630.2025.pdf)

September 2027. Because the anticipated district court trial will be contemporaneous with the deadline for final written decision for the instant prospective IPR, this factor weighs against institution or is, in the very least, neutral.

**C. *Fintiv* Factor 3: The parties expect to invest heavily in several parallel proceedings, and Petitioner unduly delayed in filing the Petition.**

Factor 3 relates to the “amount and type of work already completed in the parallel litigation by the court and the parties at the time of the institution decision.” *Fintiv I* at 9. For example, “if, at the time of the institution decision, the district court has issued substantive orders related to the patent at issue in the petition,” this factor favors denial. *Id.* at 9-10.

Here, Petitioner and Patent Owner are engaged in the parallel NDGA Case, including extensive briefing on patent eligibility and the sufficiency of Patent Owner's infringement contentions. Ex. 2005 (Hausman Decl.); Ex, 2004 (Oct. 21, 2025 Hrg. Tr.). Moreover, the NDGA Case is anticipated to require significant additional resources to resolve, including the provision of infringement and invalidity contentions, claim construction, substantial document productions, the examination of source code, and the service of written discovery and responses thereto. While the parties have not yet been allowed to conduct any discovery owing to currently pending motions to dismiss, an order allowing the case to proceed is

expected before the end of the year (Ex. 2004 (Oct. 21, 2025 Hrg. Tr.) at 39:4-20) after which Patent Owner expects the case to proceed in earnest.

Additionally, prior to the filing of the instant Petition, on May 15, 2025, third party Unified Patents, LLC (“Unified”), filed another parallel proceeding, a Request for *Ex Parte* Reexamination of the ’282 patent, seeking the rejection of all 22 claims. Ex. 2006 (EPR Request); Pet. at 88. The Petition overlaps with the parallel *ex parte* reexamination repeatedly citing the same *Verma* reference that forms the basis of the reexamination. See Pet. at 15, 17-20, 24-27; Ex. 2006 (EPR Request). Unified’s petition was granted on July 8, 2025, and Patent Owner is defending the patentability of the ’282 patent in the parallel *ex parte* reexamination. Ex. 2007 (Reexamination order). According to the USPTO’s own statistics for 2024-2025, the median pendency of an *ex parte* reexamination, from filing date to *ex parte* certificate issue date, is 18.1 months, meaning that K.Mizra expects the *ex parte* reexamination to conclude in November 2026, about four months **before** the statutorily-mandated conclusion of the instant IPR (without accounting for the optional six-month 37 C.F.R. § 42.100(c) extension), should the Board institute it. Ex. 2008; Ex. 2012 (excerpted USPTO Statistics)<sup>2</sup>.

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<sup>2</sup> <https://www.uspto.gov/sites/default/files/documents/reexamination-op-stats.pdf>.

Moreover, the Director should consider Petitioner's delay in filing the Petition. The instant Petition was filed on August 31, 2025, over nine months after the filing of the complaint in the parallel NDGA Case. Petitioner offers no explanation for its extensive delay.

In addition to the significant resources Patent Owner has expended addressing Petitioner's pending motions to dismiss, and notwithstanding Petitioner's unexplained and unjustified delay in filing its Petition, Patent Owner will undoubtedly expend significant additional resources actively litigating both the district court and *ex parte* reexamination actions. This favors denial.

**D. *Fintiv* Factor 4: The petition and the parallel NDGA Case will likely raise substantially overlapping issues, and Petitioner has not submitted a *Sotera* stipulation to quell concerns of inefficiency and inconsistent rulings.**

There is substantial overlap in the issues raised in the Petition and the parallel NDGA Case and *ex parte* reexamination favoring denial. This *Fintiv* factor looks at “whether all or some of the claims challenged in the petition are also at issue in district court” and whether the “petition includes the same or substantially the same claims, grounds, arguments, and evidence” as the parallel district court case. *Fintiv I* at 12-13. Here, at least some of the challenged claims are asserted in the parallel NDGA Case, and Petitioner has failed to submit a *Sotera* stipulation to limit redundancy and inconsistent rulings.

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First, the Petition challenges claims 1-22 of the '282 patent, which includes claims currently asserted in the parallel litigation.<sup>3</sup> Pet. at 1, 29; Ex. 2003 (FAC NDGA). The overlap of the claims at issue counsels against institution. *See, e.g., Pharaoh Energy Servs., LLC v. Flex-Chem Holding Co.*, IPR2024-00815, Paper 7 at 13-14 (PTAB Sept. 20, 2024) (denying institution in part because the same claims were challenged at the PTAB and asserted in litigation); *EClinicalWorks, LLC v. Decapolis LLC*, IPR2022-00229, Paper 10 at 9 (PTAB Apr. 13, 2022); *EClinicalWorks* at 12 (same).

Second, although Petitioner has not yet indicated what prior art it intends to rely upon in the NDGA Case, Petitioner's failure to timely submit a *Sotera* stipulation by the deadline, or at all at this point in time, guarding against potential duplicative effort by the parties weighs against institution. On April 17, 2025, the PTAB held a Boardside Chat (*see* archived video at <https://www.youtube.com/watch?v=TwaTg4pbfPg> ("April 17 Boardside Chat"), last accessed October 15, 2025) explaining updates to the discretionary denial procedure. During the Q&A portion, Acting Senior Lead Advisor to the Acting Director, Michelle Ankenbrand, stated that petitioners who wished to have a *Sotera*

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<sup>3</sup> Patent Owner has not yet served infringement contentions with an exhaustive list of the asserted claims.

stipulation “taken into account for purposes of discretionary decision making... **must** file the stipulation **no later than one month** after the notice of filing date accorded to a petition” to give patent owner the opportunity to address that stipulation. *See* April 17 Boardside Chat at 29:09-31:18 (emphasis added). Here, because that deadline has passed, even if Petitioner later elected to submit one, it should not be considered for purposes of discretionary denial.<sup>4</sup> *Id.*

Moreover, by failing to submit a *Sotera* stipulation, Petitioner has essentially reserved itself a second bite at the apple with the freedom to retry prior art challenges in the parallel NDGA Case with those that overlap here, thus rendering “the overlap in issues between the two proceedings ... substantial.” *See, e.g., Code200, UAB v. Luminati Networks, Ltd.*, IPR2020-01506, Paper 10 at 11-12 (PTAB Feb. 16, 2021) (finding Factor 4 weighed in favor of denial of institution where there were common prior art challenges between the proceedings); *see also U.S. Venture, Inc. v. Sunoco Partners Mktg. & Terminals LP*, IPR2020-00728, Paper 10 at 11-12 (PTAB Oct. 1,

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<sup>4</sup> Even if Petitioner eventually submits a *Sotera* stipulation before the Director renders his decision on whether to deny the institution, the fact of such stipulation is not dispositive under the Office's current discretionary denial policies; rather, “the Board will consider such a stipulation as part of its holistic analysis under *Fintiv*.” *See* Ex. 2002.

2020) (holding that overlap between primary references, even without overlap of all secondary references, weighed in favor of institution denial), reh'g denied, Paper 13 (PTAB Dec. 17, 2020); *DataDome S.A. v. Arkose Labs Holdings, Inc.*, IPR2025-00693, Paper 13 at 3 (Aug. 14, 2025) (“Although there is no scheduled trial date ... Petitioner has not offered a stipulation to address concerns of duplicative efforts and potentially conflicting decisions, which weighs in favor of discretionary denial.”). Indeed, the Petition repeatedly cites the *Verma* reference that forms the basis of the co-pending *ex parte* reexamination, underscoring Petitioner's intention to recycle prior art arguments. *See* Pet. at 15, 17-20, 24-27; Ex. 2006 (EPR Request). In the event the Petition is instituted, the Office and the parties can likely expect additional duplicative effort.

Because of the substantial overlap of claims and the strong likelihood of common prior art at issue, as well as Petitioner's failure to offer a stipulation that quells efficiency concerns stemming from that overlap, the fourth *Fintiv* factor weighs in favor of denying institution.

**E. *Fintiv* Factor 5: Petitioner is the parallel proceeding defendant.**

The Petition concedes that Petitioner is the defendant in the parallel NDGA Case, and thus “this factor weighs in favor of discretionary denial.” Pet. at 87-88; *Fintiv II* at 15.

**F. *Fintiv* Factor 6: The Petition's sole ground fails to meet the core limitations of the claims.**

The combination offered in the Petition fails to disclose certain limitations in the independent claims, favoring denial. The Petition asserts a single ground—*Secer* in light of *Dinker*—to demonstrate alleged unpatentability. *See, e.g.*, Pet. at 29-35 (describing both references). All of the challenged claims of the '282 patent require that in response to determining that a first application server has failed, the second application server instance taking its place must be connected to the same gateway device and the same adapter to which the first application server was previously connected. *See, e.g.*, limitation 1[d] (“in response to determining that the first application server instance had become disabled, facilitating establishing an association between *the first adapter* and a second application server instance of the plurality of application server instances and between *the gateway device* and the second application server instance.”) (emphasis added); *see also* Ex. 1001 at 11:17-22, 11:50-54. Put differently, when a first application server instance fails in the multi-gateway, multi-application server instance environment taught by the '282 patent, a second application server instance must be connected—an association must be established—between that second application server instance and the same gateway and same adapter to which the first application server instance was

originally connected to continue the service of the now-disabled first application server instance.

But, as will be further detailed in the forthcoming Patent Owner's Preliminary Response, neither *Secer* nor *Dinker* disclose these specific associations required by the challenged claims—the association between the first gateway and the second application server instance and between the first adapter and the second application server instance. *Secer* discloses a central management system that exists in a multi-gateway, single application server instance environment. *See, e.g.*, Pet. at 47 (“*Secer* did not expressly disclose that its MS (a first application server instance) was ‘selected from ***a plurality of application server instances*** based on a load balancing process.”) (emphasis added). Although *Secer* teaches what happens when a ***gateway*** failure occurs, it does not teach what happens when that ***single application server instance*** fails. *See, e.g.*, Pet. at 29, 47; Ex. 1004 at 1:25-35 (disclosing failure of a gateway). Accordingly, *Secer* does not teach the establishment of an association between a second application server instance and the original gateway, or the establishment of an association between the second application server instance and the original adapter; rather, *Secer* connects a different gateway and a different adapter to the same application server instance. *See, e.g.*, Pet. at 30-33; Ex. 1004 at 10:31-52. *Dinker*, in comparison, discloses a load balancer operating in a ***single-gateway***, multi-application server instance environment wherein an application

server instance fails. *See, e.g.*, Pet. at 47-50. But *Dinker* does not disclose any adapters and so does not teach establishing a connection between a second application server instance and an original adapter. *See, generally*, Ex. 1005. And because *Dinker* discloses only a single gateway through which all of the application server instances are already connected, there is no need to ***establish an association*** between the only gateway and the second application server instance because that connection already exists and there is no such connection to establish when the first application server becomes disabled. *See, e.g.*, Ex. 1005 at 0049. Accordingly, *Dinker* does not cure the deficiencies of *Secer*.

Because the single ground asserted by Petitioner does not render the claims of the '282 patent unpatentable, the sixth *Fintiv* factor weighs in favor of denying institution.

### **III. ADDITIONAL FACTORS SET FORTH IN THE DIRECTOR'S MEMORANDUM SUPPORT DISCRETIONARY DENIAL**

#### **A. The Strength of the Unpatentability Challenge**

The Director's Memorandum lists "[t]he strength of the unpatentability challenge" as one factor upon which the Director may determine to deny institution. Ex. 2008. As previously explained for *Fintiv* Factor 6, "[t]he strength of the unpatentability challenge" is weak and the Petition lacks adequate support. *See supra* § II.F. The Petition therefore fails to show a reasonable likelihood of prevailing.

**B. The Extent of the Petition's Reliance on Expert Testimony**

As further enumerated in the Director's Memorandum, a relevant consideration is "[t]he extent of the petition's reliance on expert testimony." Ex. 2008. Here, the Petition relies extensively on the 99-page expert declaration of Dr. Douglas C. Schmidt (Ex. 1003), using the same language and citing to his declaration throughout its analysis of the '282 patent and the single ground for all claims of the '282 patent. *See generally* Pet. Petitioner therefore failed to provide "focused expert testimony." *See* Ex. 2010 (FAQs for Interim Processes No. 22).

Moreover, when, as here, a petition relies on an expert declaration that is duplicative of the attorney arguments in the petition, such circular citations are afforded little weight and favor discretionary denial. *See, e.g., Xerox Corp. v. Bytemark, Inc.*, IPR2022-00624, Paper 9 at 15-17 (PTAB Aug. 24, 2022) (precedential) (denying institution and noting that the petitioner's expert declaration "merely repeats, verbatim, the conclusory assertion for which it is offered to support ... and is entitled to little weight"), *sua sponte Director Review*, Paper 12 at 5 (PTAB Feb. 10, 2023) (affirming denial of institution and "giving little weight to Petitioner's expert because the expert declaration merely offered conclusory assertions without underlying factual support and repeated, verbatim, Petitioner's conclusory arguments"), *POP Review denied*, Paper 13 (PTAB Feb. 10, 2023). Because the Petition cites Dr. Schmidt's declaration 197 times, and Dr. Schmid's declaration

essentially repeats Petitioner's attorneys' arguments nearly verbatim, such declaration should be accorded little weight here as well and the Director should deny the Petition.

### **C. Settled Expectations of the Parties**

The Director's Memorandum also lists "[s]ettled expectations of the parties, such as the length of time the claims have been in force" as another factor based upon which the Director may determine to deny institution. Ex. 2008.

The expectations of the parties for the '282 patent claims are well-settled. Specifically, the '282 patent claims were issued over eleven years ago on July 15, 2014. (Patent at face page), and Patent Owner has paid multiple maintenance fees. (Ex. 2009). The length of time that the '282 patent has been in force militates against institution. *See iRhythm Techs., Inc. v. Welch Allyn, Inc.*, IPR2025-00363, Paper 10 at 2-3 (PTAB June 6, 2025) (Stewart, Acting Director) (denying institution under the "settled expectation" factor as favoring denial of institution where a challenged patent was "in force since as early as 2012"); *Treasure Garden, Inc. v. ATLeisure, LLC*, IPR2025-01005, Paper 11 at 2-3 (PTAB Oct. 3, 2025) (denying institution because "the challenged patent has been in force for over thirteen years" and the patent owner has licensed the challenged patent to several licensees); *Koito Manufacturing Co., Ltd. v. Longhorn Automotive Group LLC*, IPR2025-00955, Paper 9 at 1-2 (PTAB Sept. 19, 2025) (denying institution where "the challenged

patent has been in force for more than eleven years” and disregarding that the challenged patent “was not previously commercialized or asserted in the technology space”).

Additionally, Petitioner has known of the '282 patent since *at least* February 2024. Ex. 2003 (FAC NDGA), ¶¶ 60-66). It was not until the filing of the Petition, in August of 2025, *eighteen months later*, that Petitioner ever sought to challenge the '282 patent. This delay further supports the settled expectations of the parties. *See DataDome S.A. v. Arkose Labs Holdings, Inc.*, IPR2025-00693, Paper 13 (Aug. 14, 2025) (denying institution where patent owner gave pre-suit written notice in December 2023 to petitioner identifying challenged patents).

Petitioner and Patent Owner are not the only parties to have well-settled expectations with regard to the '282 patent. Prior to this Petition, the '282 patent has been licensed to multiple third-party industry competitors of Petitioner. Ex. 2005.

Patent Owner's 11 years of settled expectations in the '282 patent claims as well as Petitioner's knowledge of the '282 patent for more than eighteen months, and the reliance of third parties in obtaining licenses to the '282 patent all weigh heavily in favor of discretionary denial.

#### **D. Other Factors Favor Denial**

The Director has also indicated that he will consider any other factors in evaluating whether to grant discretionary denial. Here, another notable factor which

favors denial is the parallel proceeding currently pending in the USPTO—the *ex parte* reexamination of the '282 patent—which would create the exact inefficiencies that discretionary denials are intended to safeguard against.

It was not until eighteen months after being put on actual notice of infringing the '282 patent, nine months after the filing of the complaint in the NDGA Case, and nearly two months after the *ex parte* reexamination of the '282 patent was ordered, that Petitioner finally filed its Petition on August 31, 2025. In the face of not one but two co-pending parallel proceedings challenging the validity of the '282 patent, Petitioner files a third challenge—the instant Petition—which, if instituted, would frustrate the intended efficiencies of the AIA. Institution here increases the risk of inconsistent outcomes among the three different proceedings and risks inefficiencies of parallel proceedings on at least issues of claim construction and validity. Allowing the instant Petition to proceed will create duplicative workloads and consume unnecessary USPTO resources among the PTAB and CRU. These are the very concerns that the Interim Procedure for Discretionary Denials is designed to alleviate, and thus, this factor alone should compel denial of institution.

#### **IV. CONCLUSION**

The Director should exercise his discretion to deny institution of the Petition because each of the *Fintiv* factors weigh in favor of denial of institution. In addition,

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several of the considerations set forth in the Director's Memorandum likewise counsel in favor of the Board exercising its discretion to deny institution here.

Respectfully Submitted,

Dated: November 12, 2025

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**CERTIFICATION UNDER 37 C.F.R. § 42.24(d)**

Under the provisions of 37 C.F.R. § 42.24(d), the undersigned hereby certifies that the page count for all portions of the foregoing Patent Owner's Brief in Support of Request for Discretionary Denial totals 19 pages per Microsoft Word, which complies with the requirement of 20 pages allowed under the Interim Director Discretionary Process. *See* Interim Director Discretionary Process (II)(C)(iii) (<https://www.uspto.gov/patents/ptab/interim-director-discretionary-process>).

Dated: November 12, 2025

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**CERTIFICATE OF SERVICE**

As authorized by Patent Owner's Mandatory Notice, I hereby certify that on November 12, 2025, a copy of this document has been served in its entirety by electronic mail on Petitioner's lead and backup counsel.

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