

From: [Director_PTABDecision_Review](#)
To: ["Nicholas Stephens"](#); [Timothy Devlin](#); [Neil Benchell](#); [DLF- Lit Paras](#); [IPR50095-0260IP1](#); [IPR50095-0261IP1](#); [IPR50095-0264IP1](#)
Subject: RE: IPR2025-01486, -01488, and -01493 - Petitioner's Request to Submit Full Version of Hearing Transcript with Requests for Director Review
Date: Monday, March 9, 2026 2:02:00 PM

Counsel,

Petitioner's request for authorization to submit a hearing transcript with its requests for Director Review in the above identified proceedings is granted.

Thank you.

From: Nicholas Stephens <nstephens@fr.com>
Sent: Thursday, March 5, 2026 5:25 PM
To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>
Cc: Timothy Devlin <tdevlin@devlinlawfirm.com>; Neil Benchell <nbenchell@devlinlawfirm.com>; DLF- Lit Paras <dlflitparas@devlinlawfirm.com>; IPR50095-0260IP1 <IPR50095-0260IP1@fr.com>; IPR50095-0261IP1 <IPR50095-0261IP1@fr.com>; IPR50095-0264IP1 <IPR50095-0264IP1@fr.com>
Subject: IPR2025-01486, -01488, and -01493 - Petitioner's Request to Submit Full Version of Hearing Transcript with Requests for Director Review

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Honorable Director,

Petitioner (Apple Inc.) intends to file requests for Director Review of the decisions denying institution in IPR2025-01486, -01488, and -01493. See Paper 15. As explained further below, Petitioner respectfully requests authorization to submit with its requests for Director Review the full version of a *Markman* hearing transcript for which a partial version was previously submitted by Patent Owner (HBCU Messaging US LP). The parties have conferred and Patent Owner does not oppose entry of the full transcript.

Good cause supports this unopposed request. Specifically, shortly before the Director issued the institution denials in these proceedings, Patent Owner filed Preliminary Sur-Reply briefs addressing *Revvo*-related issues. Patent Owner submitted with its Sur-Replies a partial version of the *Markman* hearing transcript from parallel litigation involving the patents challenged in the subject IPRs. See, e.g., IPR2025-01486, Exhibit 2027. Petitioner believes the full version of the *Markman* hearing transcript is relevant to the *Revvo* issues identified as the basis for denial of IPR2025-01486 and -01488, but only the partial version submitted with Patent Owner's Sur-Reply briefs are currently of record.

IPR2025-01486
IPR2025-01488
IPR2025-01493
Ex. 3103

Entry of the full transcript is also warranted in accordance with the Board’s rules and to ensure the Director is apprised of a complete record concerning claim construction events from the parallel litigation referenced in Patent Owner’s briefing. *Argentum Pharmaceutical LLC v. Novartis AG*, IPR2016-01479, Paper 61 at 28 (PTAB Oct 5, 2020) (“If [petitioner] had submitted only certain portions of [] testimony into the record before us, [patent owner] would be entitled to rely on FRE 106 to request that the Board admit other portions of his testimony that, in fairness, should be considered.”); Federal Rule of Evidence (FRE) 106 (“If a party introduces all or part of a statement, an adverse party may require the introduction, at that time, of any other part — or any other statement — that in fairness ought to be considered at the same time.”); *Viking Drill & Tool Inc. v. Wang*, IPR2023-00473, Paper 82, 74 n.28 (“[T]he intent of the Rule [37 C.F.R. § 42.53(f)(7)] is for a complete copy to be filed”).

Should the Director desire a conference call, the Parties can provide their mutual availability.

Respectfully,
Nicholas Stephens

Counsel for Petitioner

Nicholas Stephens
Principal ■ Fish & Richardson P.C.

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