

From: [Director Discretionary Decision](#)
To: [Baker, W. Todd](#); [Director Discretionary Decision](#); [Trials](#)
Cc: [Nuttall, Jay](#); [Abramic, John](#); [Gelwicks, Daniel](#); [Appleby, Robert A.](#); [Marina, James E.](#); [Wang, Andy](#)
Subject: RE: Samsung v. Snap-Aid, IPR2025-01519, -01520, -01521, -01522 and PGR2025-00083 -- Request for Leave to File Replies to POPRs
Date: Monday, December 29, 2025 2:59:16 PM

Petitioner is authorized to file a 5-page reply in IPR2025-01519, -01520, -01521, -01522, and PGR2025-00083, due no later than Wednesday, December 31, 2025, limited to addressing the arguments raised below. Patent Owner is authorized a 5-page sur-reply, due no later than Monday, January 5, 2026.

From: Baker, W. Todd <todd.baker@kirkland.com>
Sent: Tuesday, December 23, 2025 3:27 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>; Trials <Trials@USPTO.GOV>
Cc: Nuttall, Jay <jnuttall@steptoe.com>; Abramic, John <jabramic@steptoe.com>; Gelwicks, Daniel <dgelwicks@steptoe.com>; Appleby, Robert A. <rappleby@kirkland.com>; Marina, James E. <jmarina@kirkland.com>; Wang, Andy <andy.wang@kirkland.com>
Subject: Samsung v. Snap-Aid, IPR2025-01519, -01520, -01521, -01522 and PGR2025-00083 -- Request for Leave to File Replies to POPRs

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Dear Director Squires and Board,

Counsel for Petitioners respectfully requests leave to file a reply to the Patent Owner Preliminary Responses (POPRs) in the above-captioned proceedings. Petitioners' reply would be strictly limited to addressing Patent Owner's argument that institution should be denied for allegedly failing to explain any differences in claim construction positions between those presented in the five PTAB petitions and those taken in parallel district court litigation.

As emphasized in the POPRs, Patent Owner's argument relies on the Director's recent decision in *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20, which clarifies that petitioners must explain and justify any differences in claim construction positions taken before the Board and in district court. The *Revvo* decision was made precedential on November 3rd, Patent Owner did not expressly raise the issue in its November 17th discretionary denial briefing, raising the issue for the first time in its Patent Owner Preliminary Responses.

Given these circumstances, Petitioners submit that there is good cause for the Director (Board) to permit a reply limited to responding to the *Revvo*-based arguments raised in the POPRs. Allowing such a reply would enable Petitioners to clarify their positions and address the Director's guidance directly, thereby ensuring a complete record for the Director's consideration.

Petitioners will limit their submission to the specific *Revvo*-related issues raised by Patent Owner and respectfully request up to five pages for this reply. If authorized, Petitioners do not oppose Patent Owner filing sur-replies of equal length.

Patent Owner opposes:

Patent Owner's Position

Patent Owner opposes Petitioner's request. First, the principle applied in *Revvo*, IPR2025-00632, Paper 20, is not new. See, e.g., *Cambridge Mobile Telematics, Inc. v. Sfara, Inc.*, IPR2024-00952, Paper 12 at 8–9 (informative) (“...the Petition should have explained why... **the inconsistent [claim construction] positions are warranted**.” (emphasis added)), *Kiosoft Techs., LLC v. PayRange, Inc.*, IPR2021-00086, Paper No. 12 at 16, and *ipDataTel, LLC et al. v. ICN Acquisition*, IPR2018-01822, Paper No. 19 at 13–14. In light of this established precedent, Petitioner's failure to provide such an explanation in its petitions is an omission of its own making and does not warrant additional briefing.

Second, even if *Revvo* were considered new guidance, Petitioner could have addressed it after the decision issued, including in its recent Opposition to Patent Owner's Request for Discretionary Denial. Patent Owner's Request noted that Samsung is challenging all the asserted patents under § 112 in district court, inviting claim construction disparities between the parallel proceedings. See, e.g., IPR2025-01522, Paper 6, at 3 and 18. Petitioner could have explained its positions as part of its Opposition, but did not. Samsung's district court invalidity contentions served after *Revvo*, on December 1, also fail to reconcile its PTAB and court positions. Patent Owner respectfully requests that the Director deny the request. If the Director nonetheless grants Petitioner leave to file a reply, Patent Owner requests an equal five pages to respond.

We appreciate the Director's (Board's) consideration of this request. Please let us know if any further information is required.

Sincerely,

Todd Baker
Counsel for Petitioners

KIRKLAND & ELLIS LLP

1301 Pennsylvania Ave., N.W., Washington, D.C. 20004

T +1 202 389 3135 **M** +1 443 622 8802

F +1 202 389 5200

todd.baker@kirkland.com

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