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To: [Director PTABDecision Review](#)
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Subject: Subject: IPR2022-01397 ("538 Patent") // Petitioner's Request for Director Review
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IPR2022-01397 // U.S. Patent No. 9,975,538

Dear Honorable Director,

Per the Office's process for Director review, Petitioner Wirtgen America, Inc. hereby notifies the Office that it has requested Director review of the Final Written Decision (Paper 27) in the above-captioned *inter partes* review proceeding. A copy of the Petitioner's Request for Rehearing by the Director of the Final Written Decision, as filed and served today in the above-captioned proceeding, is attached.

Although Petitioner's request should be granted for all the reasons below, Petitioner asks the Director to consider the merits of the issues in the following order:

1. The Board abused its discretion by analyzing a prior-art reference in isolation rather than analyzing the prior-art combination asserted against claim 13 in the Petition under Ground 2.
2. The Board abused its discretion by finding the Petitioner's argument in the Reply that the proposed combination included locating Laux's clutch at the output of Xing's CVT is a new argument.

Respectfully submitted,

Nathan North
Backup Counsel for Petitioner

**Kind regards,
Nathan**

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