

From: [McKeever, Patrick J. \(SDO\)](#)
To: [Director PTABDecision Review](#)
Cc: [Eagle Robinson](#); [Garza, Cat](#); [Art Licygiewicz](#); [Allan Braxdale](#); [Mike Mudrow](#); [*Service IPR Super Lighting-GE Current](#)
Subject: Current Lighting Solutions, LLC D/B/A GE Current v. Jiaxing Super Lighting Electric Appliance Co., Ltd., IPR2023-00271 - Request for Director Review
Date: Wednesday, August 30, 2023 7:57:25 PM
Attachments: [2023-08-30 SEALED Patent Owner's Request for Director Review IPR2023-00271 \("125"\).pdf](#)

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Dear Director Vidal:

Pursuant to the Revised Interim Director Review Process, I write on behalf of Patent Owner Jiaxing Super Lighting Electric Appliance Co., Ltd. to respectfully notify the Director of the attached Request for Director Review of the Board's Decision Instituting *Inter Partes* Review filed today in Case No. IPR2023-00271. Paper 23 ("Request").

Patent Owner's Request seeks review of the Board's determination that the Petition is not time-barred based on its determinations that Petitioner's contract manufacturer, Ruising, is not a real party in interest or a privy of Petitioner. The Request concerns important issues of policy and law concerning the proper application of the one-year bar in § 315(b) which is intended to safeguard patent owners from having to defend their patents against serial and belated administrative attacks by related parties. Further, as explained in the Request, the Board abused its discretion by (a) conflating Patent Owner's separate privity and RPI arguments, (b) failing to apply the legal standard from *AIT* in determining the RPI issue, (c) failing to apply the *Taylor* factors in determining the privity issue, and (d) declining to follow the Board's precedential *Ventex* decision in analyzing the evidence concerning *Taylor* Factor 2.

Please note that the Request attached to this email is designated PROTECTIVE ORDER MATERIAL – OUTSIDE COUNSEL ONLY because it contains discussion of exhibits Petitioner has designated under the Protective Order (Paper 8) in this proceeding. Patent Owner also filed a public version of the Request which redacts Petitioner's confidential information. Paper 24.

Patent Owner appreciates the Director's consideration of its Request.

Respectfully submitted,

/Patrick J. McKeever/

Lead Counsel for Patent Owner Jiaxing Super Lighting Electric Appliance Co., Ltd.

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