

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. AND
SAMSUNG ELECTRONICS AMERICA, INC.

Petitioners

v.

RESONANT SYSTEMS, INC.,

Patent Owner

Case IPR2023-01025

U.S. Patent No. 9,941,830

**PETITIONERS' PRELIMINARY REPLY
TO PATENT OWNER'S PRELIMINARY RESPONSE**

PETITIONERS' UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent 9,941,830 B2 (“’830Pat.”)
1002	File History of U.S. Patent 9,941,830 (“’830FH”)
1003	Declaration of Andrew Wolfe, Ph.D.
1004	Curriculum Vitae of Andrew Wolfe, Ph.D.
1005	Reserved
1006	Reserved
1007	Reserved
1008	Reserved
1009	Reserved
1010	Reserved
1011	Reserved
1012	Reserved
1013	Reserved
1014	Reserved
1015	Reserved
1016	Reserved
1017	Complaint in <i>Resonant Systems, Inc. v. Samsung Elecs. Co., Ltd.</i> , 2:22-cv-00423 (E.D. Tex. October 26, 2022)
1018	Docket Control Order in <i>Resonant Systems, Inc. v. Samsung Elecs. Co., Ltd.</i> , 2:22-cv-00423 (E.D. Tex.)
1019	Discovery Order in <i>Resonant Systems, Inc. v. Samsung Elecs. Co., Ltd.</i> , 2:22-cv-00423 (E.D. Tex.)
1020	Reserved
1021	Reserved
1022	Reserved
1023	U.S. Patent 9,369,081 B2 (“’081Pat.”)
1024	File History of U.S. Patent 9,369,081 (“’081FH”)
1025	U.S. Patent 8,860,337B2 (“’337Pat.”)
1026	File History of U.S. Patent 8,860,337B2 (“’337FH”)
1027	U.S. Patent 8,093,767B2 (“’767Pat.”)
1028	File History of U.S. Patent 8,093,767B2 (“’767FH”)
1029	File History of Provisional Patent Application 61/179,109

Exhibit No.	Description
1030	U.S. Patent Application Publication 2011/0144426A1 (“Blenk”)
1031	U.S. Patent Application Publication 2011/0248817A1 (“Houston”)
1032	U.S. Patent Application Publication 2007/0261185A1 (“Guney”)
1033	U.S. Patent Application Publication No. US2012/0133308 (“308Pub.”)
1034	Reserved
1035	Reserved
1036	Reserved
1037	Reserved
1038	Reserved
1039	Reserved
1040	Reserved
1041	Reserved
1042	Reserved
1043	Stipulation of Grounds Pursued in District Court Litigation
1044	Updated Stipulation of Grounds Pursued in District Court Litigation

As authorized by the Board (Paper 13), Petitioners file this Preliminary Reply and demonstrate that discretionary denial is inappropriate.

I. DENIAL UNDER FINTIV IS INAPPROPRIATE

With this Preliminary Reply, Petitioners provide a *Sotera* stipulation (EX-1044), which fully resolves consideration of *Fintiv* under the USPTO's Interim Procedure for Discretionary Denials ("Guidance"). *See* Guidance at 7 (stating that "the PTAB will not discretionarily deny institution ... where a petitioner presents a stipulation not to pursue in a parallel proceeding the same grounds or any grounds that could have reasonably been raised before the PTAB").

II. CONCLUSION

For the above reasons, and those set forth in the Petition, Petitioners respectfully request that Trial be instituted.

Date: November 13, 2023

Respectfully submitted,

/Ali R. Sharifahmadian/

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Counsel for Petitioners

CERTIFICATE OF SERVICE

I certify that on November 13, 2023, I caused a true and correct copy of the foregoing PETITIONERS' PRELIMINARY REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE is being filed via P-TACTS and served via electronic mail upon the following attorneys of record for the Patent Owner:

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