

From: [Trials](#)
To: [Arvind Jairam](#); [Paul, Rajesh](#); [Liddell, Andrew](#); [Sharma, Anupam](#); [Bluestone, David](#); [Weidenfeller, Scott](#); [Greene, Bert A.](#); [GT-Cirrus-IPR](#); [Greenthread-Cirrus-MS](#); [Greenthread-Omnivision-MS](#); [CirrusCov-GT](#); [Texeira, Jennifer W.](#)
Cc: [Trials](#)
Subject: RE: IPR2024-00001, -00016, -00017, -00018, -00019, -00020, -00021
Date: Wednesday, October 23, 2024 10:10:44 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Counsel,

Patent Owner is not authorized to submit Dr. Campbell's deposition testimony from other IPRs (IPR2024-00468, -00469, -00470) along with its Patent Owner Sur-reply in the present proceeding.

Initially, we note that Dr. Campbell's testimony in other IPRs (IPR2024-00468, -00469, -00470) is best characterized as concerning a disputed factual issue, not a legal one. Dr. Campbell was not retained as an expert by Petitioner and is not a witness in the present proceeding. Petitioner would have limited, if any, opportunity to cross-examine Dr. Campbell were we to admit his testimony from other proceedings.

Briefing is nearing completion in IPR2024-00001, -16, -17, -18, -19, -20, and -21. In order to provide Petitioner with an opportunity to respond to Patent Owner's new evidence, supplemental briefing would be required.

In view of the above, and particularly in view of the advanced stage of this proceeding, we do not grant Patent Owner's request. No call is necessary at this time.

Regards,

Tina

From: Arvind Jairam <ajairam@McKoolSmith.com>
Sent: Tuesday, October 22, 2024 2:58 PM
To: Trials <Trials@USPTO.GOV>
Cc: Paul, Rajesh <RPaul@cov.com>; Liddell, Andrew <WALiddell@duanemorris.com>; Sharma, Anupam <asharma@cov.com>; Bluestone, David <DBluestone@beneschlaw.com>; Weidenfeller, Scott <SWeidenfeller@cov.com>; Greene, Bert A. <BGreene@duanemorris.com>; GT-Cirrus-IPR <GT-Cirrus-IPR@cov.com>; Greenthread-Cirrus-MS <Greenthread-Cirrus-MS@mckoolsmith.com>; Greenthread-Omnivision-MS <Greenthread-Omnivision-MS@mckoolsmith.com>; CirrusCov-GT <CirrusCov-GT@cov.com>; Texeira, Jennifer W. <JWTexeira@duanemorris.com>
Subject: IPR2024-00001, -00016, -00017, -00018, -00019, -00020, -00021

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IPR2024-00001, -00016, -00017, -00018, -00019, -00020, -00021

Dear Board,

Ex. 3008
IPR2024-00001
IPR2024-00016
IPR2024-00017
IPR2024-00018
IPR2024-00019
IPR2024-00020
IPR2024-00021

Patent Owner Greenthread requests to submit newly available evidence regarding the core dispute in these proceedings.

Greenthread recently deposed the expert witness of a petitioner in parallel IPRs (IPR2024-00468, -00469, -00470). The witness, Dr. Stephen Campbell, testified consistent with Greenthread's position regarding the "aid carrier movement" claim term and contrary to the position of Petitioners here (and the petitioner in the parallel proceedings). Dr. Campbell testified about a number of forces besides a gradient that affect carrier motion. He testified that a minimum quantum of force from a gradient is required for carrier movement. He also testified that it is not possible to identify the doping gradient in the active region in Kawagoe, a reference at issue in both these IPRs and the parallel IPRs.

Greenthread requests permission to submit in the present IPRs the Dr. Campbell deposition transcript from the parallel IPRs when Greenthread files its Patent Owner sur-reply in these IPRs, in the event that Petitioners do not submit the transcript along with their Patent Owner response.

Prior to sending this email, Greenthread conferred with Petitioners, which indicated they oppose Greenthread's requested relief. Petitioners provided the following statement: "Petitioners oppose on the basis that, among other things, the Campbell deposition transcript contains inadmissible hearsay, Patent Owner mischaracterizes the testimony, and the portions of the transcript referenced by Patent Owner are irrelevant and misleading to the issues in these IPRs."

The parties can make themselves available for a conference call October 25, 2024 or later if desired by the Board.

Respectfully,
Arvind Jairam
Counsel for Patent Owner Greenthread, LLC

McKool Smith

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