

From: [Trials](#)
To: [Derek Vandenburg](#); [Aaron W. Pederson](#); [Nate D Louwagie](#); [Ryan Rypka](#); [Peter M Kohlhepp](#); [Hayes, Jennifer](#); [Stringfield, Daniel](#); [Christopher, Angelo](#); [Zheng, Helena](#)
Cc: [Trials](#)
Subject: RE: Samsung Elec. Co. Ltd. v. Network Systems Technologies, LLC, IPR2024-00338
Date: Wednesday, October 23, 2024 11:37:34 AM

Counsel,

In response to the October 21, 2024, email from Petitioner's counsel, the Board authorizes the filing of a joint motion for authorization to apply for a subpoena under 35 U.S.C. § 24 to compel deposition testimony from Mr. Sean O'Bryan.

Regards,

Tina

From: Derek Vandenburg <DVandenburg@carlsoncaspers.com>
Sent: Monday, October 21, 2024 7:19 PM
To: Trials <Trials@USPTO.GOV>
Cc: Aaron W. Pederson <APederson@carlsoncaspers.com>; Nate D Louwagie <NLouwagie@carlsoncaspers.com>; Ryan Rypka <RRypka@carlsoncaspers.com>; Peter M Kohlhepp <PKohlhepp@carlsoncaspers.com>; Hayes, Jennifer <jenhayes@nixonpeabody.com>; Stringfield, Daniel <dstringfield@nixonpeabody.com>; Christopher, Angelo <achristopher@nixonpeabody.com>; Zheng, Helena <hzheng@nixonpeabody.com>
Subject: Samsung Elec. Co. Ltd. v. Network Systems Technologies, LLC, IPR2024-00338

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Dear Board,

I represent Joinder-Petitioner Qualcomm in the above-captioned matter. As part of the Petition in the IPR that Qualcomm has now joined, original Petitioner Samsung filed a declaration from Mr. Sean O'Bryan, a librarian at the University of Texas (Exhibit 1027), concerning the publication date of a book cited in the Petition. Patent Owner has requested to depose Mr. O'Bryan, and Mr. O'Bryan's employer, the University of Texas system, requires a subpoena.

Qualcomm and Patent Owner recently faced a similar situation in another IPR, and the Board authorized the filing of a motion to apply for a subpoena for the deposition of the witness. IPR2024-00343, Paper 30 (PTAB Aug. 29, 2024). Qualcomm writes to request authorization to file a similar motion with respect to Mr. O'Bryan. Qualcomm has conferred with the Patent Owner, and Patent Owner has indicated it will join in the request. Further, in an effort to minimize the burden to the third-party Mr. O'Bryan, the parties have agreed that the motion would request a remote deposition, limited to no more than one hour cross-examination and twenty minutes re-direct.

The parties can be available for a conference call, if needed, on Wednesday Oct. 23 before 2 PM ET or Friday Oct. 25 any time except 11 AM – 1 PM ET.

Respectfully submitted,
Derek Vandenburg



J. Derek Vandenburg

Carlson, Caspers, Vandenburg, &
Lindquist, P.A.

225 S. Sixth St., Suite 4200,
Minneapolis, MN 55402

Direct: 612.436.9618

Cell: 612-991-3952

DVandenburg@carlsoncaspers.com

carlsoncaspers.com

[BIO](#) | [vCard](#) | [Disclaimers](#)



Derek Vandenburg

225 South 6th Street, Suite 4200

Minneapolis, MN 55402

Direct: [612.436.9618](tel:612.436.9618)

Cell: [612-991-3952](tel:612-991-3952)

DVandenburg@carlsoncaspers.com

carlsoncaspers.com

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