

From: [Trials](#)
To: [Peter M Kohlhepp](#); [Trials](#)
Cc: [Christopher, Angelo](#); [Hayes, Jennifer](#); [Stringfield, Daniel](#); [Krusiewicz, Peter](#); [Girgis, Diana](#); [Derek Vandenburg](#); [Ryan Rypka](#); [Nate D Louwagie](#); [Aaron W. Pederson](#); skruse@carlsoncaspers.com; [Holt, Benjamin](#)
Subject: RE: IPR2024-00338, IPR2024-00343 -- Western District of Texas Claim Construction Order
Date: Thursday, April 3, 2025 9:00:12 AM

Counsel,

The parties are authorized to file a copy of the district court's claim construction order as an exhibit in each of the above referenced proceedings. Patent Owner's request for authorization to file supplemental briefing addressing the impact of the order is denied.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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From: Peter M Kohlhepp <PKohlhepp@carlsoncaspers.com>
Sent: Wednesday, April 2, 2025 10:48 AM
To: Trials <Trials@USPTO.GOV>
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Subject: IPR2024-00338, IPR2024-00343 -- Western District of Texas Claim Construction Order

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Your Honors,

The parties in the above-referenced IPRs jointly write to inform the Board that the Western District of Texas issued a claim construction order on April 1, 2025 construing various terms, including certain terms in the challenged patents. *Network System Techs., LLC v. Qualcomm Inc. et al.*, No. 1:22-cv-1331, Dkt. 296 (W.D. Tex. Mar. 31, 2025). Pursuant to the guidance provided in the Consolidated Trial Practice Guide and 37 C.F.R. § 42.100, the parties respectfully request authorization to file a copy of the claim construction order as an exhibit in both IPRs.

The parties disagree regarding whether supplemental briefing is necessary and provide their respective positions below:

Patent Owner's position: Patent Owner requests authorization to file a 5-page supplemental brief in each IPR addressing the impact of the district court claim construction order. Good cause exists because the claim construction order was not previously available and because the order addresses the meaning of disputed claim terms. Should the Board grant this request, Patent Owner would not oppose Petitioner simultaneously filing a 5-page brief in each IPR also addressing the claim construction order.

Petitioner's position: Petitioner does not believe there is a need for supplemental briefing. In the event the parties' joint request to file the claim construction order as an exhibit in the IPRs is granted, the order will be available for the Board's consideration. If the Board is nevertheless inclined to provide for supplemental briefing, Petitioner would be happy to participate but would respectfully request authorization to file a responsive brief of equal length one week later, instead of a simultaneous brief (given that Petitioner does not believe supplemental briefing is needed).

The parties are also available for a call with the Board at the following times:

- Monday, April 7, 3-5 ET
- Tuesday, April 8, 10-5 ET

Best regards,

Peter Kohlhepp
Counsel for Petitioner

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