From:	Arvind Jairam
To:	Trials
Cc:	bombach-ptab@perkinscoie.com; Ai, Bing (Perkins Coie); esterhay-ptab@perkinscoie.com; Schnurer-ptab@perkinscoie.com; kadjo-ptab@perkinscoie.com; jjiang-ptab@perkinscoie.com; PerkinsServiceMPS-GreenthreadIPR@perkinscoie.com; Greenthread-Monolithic-MS
Subject:	IPR2024-00468, -00469, -00470
Date:	Wednesday, March 6, 2024 2:42:51 PM

IPR2024-00468, -00469, -00470

Your Honors,

Patent Owner Greenthread LLC requests a conference call with the Board so that it may request authorization to file a motion for additional discovery in the above-referenced proceedings. The proposed additional discovery pertains to whether the Petitions are time barred under 35 U.S.C. § 315(b).

Intel and Sony (by virtue of Sony's RPI relationship with Dell) are time-barred from filing a petition on the patents at issue. Samsung is time-barred with respect to U.S. Patents 8,421,195 at issue in IPR2024-00468 and 9,190,502 at issue in IPR2024-00469. Intel, Sony, and Samsung are also Patent Owner's licensees. Publicly available information indicates that Petitioner Monolithic Power Systems is a manufacturer/supplier to at least Intel and Sony. If, as it appears, Petitioner is acting on behalf of any of Patent Owner's licensees under the "have made" clause of the licenses, then Petitioner is in privity with the time-barred licensees. Thus, the instant Petitions would be time-barred.

Patent Owner seeks discovery of:

1. Agreements between Petitioner (or its affiliates) and Intel, Dell, and/or Sony relating to transistor products sold to or made for them or the prior litigations.

2. Communications between Petitioner (or its affiliates) and Intel, Dell, and/or Sony relating to such products or the prior litigations.

3. Whether Petitioner intends to take the position in the district court litigation involving the challenged patents, that Petitioner's sales to Intel and/or Sony are licensed under prior licenses to Intel and/or Sony.

Patent Owner conferred with Petitioner prior to sending the present email.

Petitioner's position: Petitioner opposes Patent Owner's request. Discovery is limited and reserved for special circumstances, none of which exists here. At most, Patent Owner has identified third-parties that have used MPS power-supply chips (e.g., Sony in its Playstation's PCB boards). MPS sells its power-supply chips to third party original design manufacturers (ODMs), and whether those products eventually are purchased by parties like Sony/Intel/Dell/Samsung does not rise to the level of an agency relationship that would affect RPI. The same would be true even if parties like Sony/Intel/Dell/Samsung purchased those power supply chips directly from MPS (which they do not) because that would be a standard customer relationship. Patent Owner has argued near-identical

requests in other cases and has been denied discovery. (See, e.g., Semiconductor Component Industries, LLC v. Greenthread LLC, IPR2023-01242, 43, 43 (Paper 31, 30, 31, respectively).)

If the Board would find it helpful, the parties are available for a conference call during the following dates: March 8 or 11 after 9 AM Pacific/12 PM Eastern.

If the above dates do not work, then the parties are happy to provide alternative dates for the conference.

Respectfully,
Arvind Jairam
Counsel for Patent Owner

McKool Smith | Arvind Jairam
Principal | Washington | (202) 370-8324