UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Samsung Electronics Co., Ltd.,
Samsung Electronics America, Inc.,
Samsung Semiconductor, Inc., and
Samsung Austin Semiconductor, LLC.,
Petitioner

v.

Chien-Min Sung,
Patent Owner

Case IPR2024-00533

U.S. Patent No. 8,974,270

PETITIONER SAMSUNG'S OPPOSITION TO PATENT OWNER'S MOTION TO EXCLUDE EVIDENCE

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

Pages

I. INTRODUCTION 1

II. THE BOARD SHOULD DENY PATENT OWNER'S MOTION TO EXCLUDE EX1002 2

A. Motion To Exclude Is Not A Vehicle For Addressing The Weight To Be Given To Evidence 2

B. There Is No Basis To Exclude Exhibit 1002 Under Fed. R. Evid. 702 2

1. Patent Owner's motion to exclude EX1002 is an improper attempt to incorporate additional merits arguments it should have included in its Patent Owner's Response ("POR") or Sur-Reply 3

2. Patent Owner's argument is premised on the erroneous assumption that the Board will adopt the Patent Owner's Definition of a POSITA 8

C. There Is No Basis To Exclude Exhibit 1002 Under Fed. R. Evid. 703 9

III. THE BOARD SHOULD DENY PATENT OWNER'S MOTION TO EXCLUDE EXHIBITS 1042-1049, 1052, AND 1053 11

A. There Is No Basis To Exclude Exhibits 1042-1049 11

B. There Is No Basis To Exclude Exhibit 1052 13

C. There Is No Basis To Exclude Exhibit 1053 14

IV. CONCLUSION 15

TABLE OF AUTHORITIES

Page(s)

Cases

A.C. Dispensing Equipment, Inc., v. Prince Castle LLC,
IPR2014-00511, Paper 33 (PTAB Aug. 4, 2015).....5, 7

Belden Inc. v. Berk-Tek LLC,
805 F.3d 1064 (Fed. Cir. 2015) 12, 13, 14

Corning Inc. v. DSM IP Assets B.V.,
IPR2013-00053, Paper 66 (PTAB May 1, 2014) 1, 2

Donnelly Garment Co. v. NLRB,
123 F.2d 215 (8th Cir. 1941) 1, 2

Ex parte Wilfried JUD and Hans-Rudolf Nageli,
Appeal No. 2006-1061 (Board of Patent Appeals and Interferences,
Jan. 2007).....9, 13

Gervais Dionne v. Liotta,
Interference No. 104,333 (Board of Patent Appeals and Interferences,
Oct. 2001) 9

Hirata v. S. Nev. Health Dist.
Case No. 2:13-cv-2302-LDG-VCF, 2016 U.S. Dist. LEXIS 185235
(D. Nev. May 31, 2016).....6

Hirata v. S. Nevada Health Dist.,
No. 2:13-CV-2302-LDG-VCF, 2016 WL 10706085 (D. Nev. May
31, 2016 6

In re GPAC, *Inc.,*
57 F.3d (Fed. Cir. 1995) 9

Mytee Prods., Inc. v. Harris Research, Inc.,
439 Fed. App'x 882 (Fed. Cir. 2011) 6

New World Medical, Inc. v. MicroSurgical Technology, Inc.,
IPR2020-01573, Paper 49 (PTAB Feb. 16, 2022) 1, 2

SEB S.A. v. Montgomery Ward & Co.,
594 F.3d 1360 (Fed. Cir. 2010) 6, 7

Sundance, Inc. v. DeMonte Fabricating Ltd.,
550 F.3d 1356 (Fed. Cir. 2008) 6

Velander v. Garner,
348 F.3d 1359, 68 USPQ2d 1769 (Fed. Cir. 2003).....14

Other Authorities

Consolidated Trial Practice Guide,
November 2019 ..... passim

Rules

37 C.F.R. § 42.123(b) ..... passim

37 C.F.R. § 42.23 15

37 C.F.R. § 42.64(c).....1

Fed. R. Evid. 403 ..... 12, 13, 14

Fed. R. Evid. 702 ..... 2, 7, 8, 9

Fed. R. Evid. 703 9

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(c) and the Scheduling Order (Paper 17), Petitioner hereby opposes Patent Owner's Motion to Exclude (Paper 32). Quite simply, Patent Owner has no basis for requesting exclusion of Exhibits 1002, 1042-1049, 1052, and 1053. This is especially true because the Board has routinely indicated its preference for maintaining a complete record in the event of appellate review, allowing the Board to minimize the chance of reversal and provide the appellate court with a full record for review. *See, e.g., Corning Inc. v. DSM IP Assets B.V.*, IPR2013-00053, Paper 66 at 19 ("the better course is to have a complete record of the evidence to facilitate public access as well as appellate review") (citing *Donnelly Garment Co. v. NLRB*, 123 F.2d 215, 224 (8th Cir. 1941) ("If the record on review contains not only all evidence which was clearly admissible, but also all evidence of doubtful admissibility, the court which is called upon to review the case can usually make an end of it, whereas if evidence was excluded which that court regards as having been admissible, a new trial or rehearing cannot be avoided.")); *see also, e.g., New World Medical, Inc. v. MicroSurgical Technology, Inc.*, IPR2020-01573, IPR2020-01711, IPR2021-00017, IPR2021-00065, IPR2021-00066 (PTAB Feb. 16, 2022), Paper 49 at 13. Indeed, "[t]he nature of our proceedings, in which the same panel that decides admissibility also serves as the fact-finder, disfavors

exclusion [of expert testimony] in these circumstances." *New World Medical*, Paper 49 at 12-13.

II. THE BOARD SHOULD DENY PATENT OWNER'S MOTION TO EXCLUDE EX1002

Patent Owner requests the Board to exclude Exhibit 1002 as inadmissible under Fed. R. Evid. 702 and 703. In the alternative, Patent Owner requests Exhibit 1002 be afforded no weight. Paper 32 ("Motion To Exclude Evidence or MTEE") at 10. The Board should deny Patent Owner's requests.

A. Motion To Exclude Is Not A Vehicle For Addressing The Weight To Be Given To Evidence

The Consolidated Trial Practice Guide (Nov. 2019) ("CTPG") explicitly explains that a "motion to exclude is not a vehicle for addressing the weight to be given evidence—arguments regarding weight should appear only in the merits documents." CTPG at 79. Indeed, the Board "is well-positioned to determine and assign appropriate weight to evidence presented." *Corning*, Paper 66 at 19 (citing *Donnelly* ("One who is capable of ruling accurately upon the admissibility of evidence is equally capable of sifting it accurately after it has been received…")); *see also New World Medical*, Paper 49 at 12-13.

B. There Is No Basis To Exclude Exhibit 1002 Under Fed. R. Evid. 702

Patent Owner has no basis to exclude Exhibit 1002 under Fed. R. Evid. 702 because (1) it is largely an improper attempt to incorporate additional merits

arguments Patent Owner failed to include in its merits briefing and (2) Patent Owner's basis for requesting exclusion of the entirety of Dr. Shanfield's opening declaration erroneously assumes that the Board will adopt the definition of a POSITA proffered ***by Patent Owner***.

1. Patent Owner's motion to exclude EX1002 is an improper attempt to incorporate additional merits arguments it should have included in its Patent Owner's Response ("POR") or Sur-Reply

Patent Owner's motion to exclude EX1002 is an improper attempt to incorporate additional merits arguments it should have included in its POR or Sur-Reply. MTEE at 2-10. For example, Patent Owner adds the following new arguments that it failed to include in any of its earlier merits briefings:

(1) Dr. Shanfield "admits that he has never measured the number of diamonds on a CMP pad conditioner (EX2003 at 91:23-92:10) or inspected a CMP pad conditioner with an electron microscope (*id.* at 93:10-20)" (MTEE at 3);

(2) "while broad expertise may suffice in some contexts, it cannot substitute for the particularized knowledge needed to evaluate a highly specialized technology, such as CMP and CMP pad conditioners" (MTEE at 5-6); and

(3) "Dr. Shanfield's decision not to submit a rebuttal declaration addressing Dr. Tsai's deposition testimony … either reflects a tacit concession that Dr. Tsai is

correct … or it confirms that Dr. Shanfield lacks the necessary technical competence to even engage with the analysis" (MTEE at 6-7).

While these new arguments should be ignored in their entirety, these new arguments not only mischaracterize the record but all miss the mark.

First, Patent Owner alleges that Dr. Shanfield "admits that he has never measured the number of diamonds on a CMP pad conditioner … or inspected a CMP pad conditioner with an electron microscope." *See* MTEE at 3 (citing EX2003 at 91:23-92:10 and 93:10-20). But far from Patent Owner's assertions, Dr. Shanfield has extensive experience in integrated circuit processing and manufacturing (*see* EX1002, ¶¶2-12, Appendix A), and exceeds the qualities of a POSITA—regardless of whether Petitioner's or Patent Owner's definition of a POSITA is adopted. Paper 25 ("Reply") at 2, 14.

For example, Dr. Shanfield received his Ph.D. in physics from MIT in 1981 and has worked in integrated circuit processing and manufacturing for nearly 40 years, including at Draper Laboratory and Raytheon. EX1002, ¶¶2-6, Appendix A.

Dr. Shanfield has authored numerous academic papers and holds multiple patents relating to integrated circuit processing and semiconductor manufacturing, solving critical technical issues in the field. EX1002, ¶¶7-8, Appendix A.

Dr. Shanfield is personally familiar with the design of CMP equipment. *See* EX2003, 18:5-12 ("***I am very familiar with the design of CMP equipment***, both

back at the time of the disputed priority dates of the two patents and now, I've seen many systems, I've installed or supervised the installation of systems, I've purchased systems and I've personally run systems, so I have familiarity at that level.").

He has personally worked with CMP pad dressers. *See id.,* 19:8-12 ("***I have familiarity with CMP dressers*** from multiple experiences of either watching the operation or ***actually performing the operation of CMP.***").

In addition, Dr. Shanfield was personally involved in the manufacture of CMP pad dressers. *See id.,* 19:16-20:9 ("***Q: Have you ever been involved in the manufacture of CMP pad dressers? A: Yes***. Q: In what ways? A: In Raytheon Research Division, we looked at how we were going to use the CMP system to process MEMS, M-E-M-S, devices, and they needed a certain kind of planarization process and that planarization process required constant conditioning, more often conditioning than at least in my opinion we had expected. And I recall attempting, this was in conjunction with some other research staff, another kind of conditioner than the one we had to try to fabricate something that would provide conditioning that would last longer.").

And Dr. Shanfield's qualifications are more than sufficient, because "[t]o testify as an expert under FRE 702, a person need not be a person of ordinary skill in the art, but rather 'qualified in the pertinent art.'" *A.C. Dispensing Equipment, Inc., v. Prince Castle LLC,* IPR2014-00511, Paper 33 at 10 (PTAB Aug. 4, 2015)

(citing *Sundance, Inc. v. DeMonte Fabricating Ltd.,* 550 F.3d 1356, 1363-64 (Fed. Cir. 2008)); *see also SEB S.A. v. Montgomery Ward & Co.,* 594 F.3d 1360, 1372-73 (Fed. Cir. 2010); *Mytee Prods., Inc. v. Harris Research, Inc.,* 439 Fed. App'x 882, 886-87 (Fed. Cir. 2011) (non-precedential) (upholding admission of the testimony of an expert who "had experience relevant to the field of the invention," despite admission that he was not a "person of ordinary skill in the art.").

Second, Patent Owner argues that "while broad expertise may suffice in some contexts, it cannot substitute for the particularized knowledge needed to evaluate a highly specialized technology, such as CMP and CMP pad conditioners," by relying on *Hirata v. S. Nev. Health Dist.* Case No. 2:13-cv-2302-LDG-VCF, 2016 U.S. Dist. LEXIS 185235, at *7 (D. Nev. May 31, 2016).[1] MTEE at 5-6. But *Hirata* is easily distinguishable. *Hirata* dealt with whether an ***aquatics expert*** was qualified to "testify on the Health District's ***management and human resources*** problems" — issues that are not even remotely related to each other and did not even concern a patent matter. *Hirata*, 2016 WL 10706085, at *3 (D. Nev. May 31, 2016). Aquatics is not a sub-field of management and human resources, nor do the fields require their

[1] To be clear, this is unauthorized new argument from Patent Owner. This is the first time Patent Owner is citing Hirata—an order that was available when Patent Owner previously filed its POR and its Sur-Reply.

experts to have overlapping knowledge, expertise, or skills. In contrast, Dr. Shanfield has particularized knowledge about both the use and design of CMP pad dressers. *See* EX1002, ¶¶2-12, Appendix A; EX2003, 18:5-12, 19:8-12, 19:16-20:9. Indeed, as the CTPG explains, "[a]n expert witness must be qualified as an expert by knowledge, skill, experience, training, or education to testify in the form of an opinion. … There is, however, no requirement of a perfect match between the expert's experience and the relevant field." CTPG, 34 (citing Fed. R. Evid. 702; *SEB S.A. v. Montgomery Ward & Co.*, 594 F.3d 1360, 1373 (Fed. Cir. 2010)); *see also A.C. Dispensing Equipment*, Paper 33 at 9-11.

Third, Patent Owner argues "Dr. Shanfield's decision not to submit a rebuttal declaration addressing Dr. Tsai's deposition testimony … either reflects a tacit concession that Dr. Tsai is correct … or it confirms that Dr. Shanfield lacks the necessary technical competence to even engage with the analysis." MTEE at 6-7. Not so. While Petitioner "***may*** submit rebuttal evidence in support of its reply" (CTPG at 73), there is no requirement for Dr. Shanfield to actually submit a declaration with Petitioner's Reply. Given the numerous admissions proffered by Dr. Tsai during his cross-examination (Reply at 1-4, 7-8, 11, 13-17), no further declaration or explanation was required by Dr. Shanfield. Lack of submission of a ***rebuttal*** declaration is not a proper basis for excluding an expert's ***opening*** declaration.

In short, because Patent Owner uses its motion to exclude as another opportunity to present and supplement its merits arguments, the Board should not consider Patent Owner's procedurally improper arguments guised as a motion to exclude evidence.

2. Patent Owner's argument is premised on the erroneous assumption that the Board will adopt the Patent Owner's Definition of a POSITA

Regarding the ***admissibility*** of Dr. Shanfield's declaration under Fed. R. Evid. 702, Patent Owner's argument is premised on the erroneous assumption that the Board will adopt the definition of a POSITA proffered ***by Patent Owner*** and Dr. Shanfield does not meet that definition. MTEE at 2, 7-10. But that argument fails for at least two reasons.

First, Patent Owner's argument is rendered moot if the Board maintains the Board's earlier adoption of "Petitioner's proposal [of the POSITA] as reasonable and consistent with the prior art." DI at 7. There is no dispute that Dr. Shanfield would qualify as a POSITA (and as an expert) based on the level of skill proffered by Petitioner.

Second, Patent Owner's argument fails because Patent Owner proffers no objective rationale why the level proffered by Patent Owner should be adopted, except for Dr. Tsai's say-so. *See, e.g.,* POR at 3 (citing only to EX2004 [Tsai Declaration], ¶¶28-29). But the Board rejects such conclusory statements from

experts when there is no objective evidence to back up such say-so. *See, e.g., Gervais Dionne v. Liotta*, Interference No. 104,333 (Board of Patent Appeals and Interferences, Oct. 2001) (informative) at 3-6 (rejecting the proposed higher level of skill because "beyond the conclusory statements of its experts, Dionne has failed to identify sufficient evidence in support of its alleged skill level."); *see also, e.g., Ex parte Wilfried JUD and Hans-Rudolf Nageli*, Appeal No. 2006-1061 (Board of Patent Appeals and Interferences, Jan. 2007) (informative) at 5-6 ("Testimony contrary to the other evidence of record may, however, be accorded little weight.") (citing *In re GPAC*, *Inc.,* 57 F.3d at 1579-80, 35 USPQ2d (Fed. Cir. 1995) at 1121). Hence, because Patent Owner's foundational premise for the motion to exclude evidence fails based on the fact that there is no objective evidence to adopt Patent Owner's definition of a POSITA, there is concomitantly no basis to exclude Dr. Shanfield's opening declaration (*i.e.*, Exhibit 1002) under Fed. R. Evid. 702 either.

C. There Is No Basis To Exclude Exhibit 1002 Under Fed. R. Evid. 703

Patent Owner's motion to exclude Exhibit 1002 under Fed. R. Evid. 703 is also meritless. Patent Owner alleges that Dr. Shanfield's opinions are not supported by sufficient facts or data and are "not the product of reliable principles and methods." MTEE at 7-10. This allegation is unfounded—each of the opinions Patent Owner points to (*see* MTEE at 7-8 citing EX1002, ¶¶115, 123, 137) is supported by evidence in the prior art references relied on by Dr. Shanfield.

In support of his opinions, Dr. Shanfield cited multiple disclosures in both Chou and Sung'479 and explained why these disclosures supported his opinion. The table below summarizes how each of the opinions that Patent Owner complains about are supported by objective evidence.

Dr. Shanfield's Opinion	Citations To Objective Evidence
(1) "a POSITA would at least have found it obvious to control the protrusion distance of the diamond particles such that the protrusion distance between the highest protruding tip and the second highest protruding tip of the monolayer of superabrasive particles to be less than or equal to about 50 microns in view of Chou and Sung '479." MTEE at 7-8 (citing EX1002, ¶115)	EX1004, [0017], [0040]; EX1005, [0050], [0069], [0072], [0009], claim 4
(2) "a POSITA would have been motivated to achieve tip height variations in superabrasive tools that are as small as possible (e.g., to be within the 2-micron variation that Sung'479 teaches) to improve performance of the tool." MTEE at 8 (citing EX1002, ¶115)	EX1004, [0017], [0040]; EX1005, [0050], [0069], [0072], [0009], claim 4
(3) "a POSITA would have considered levelling the heights of the Chou's abrasive tool to levels disclosed by Sung'479 to be a	EX1005, [0072], [0013]; EX1004, [0004]

trivial modification, because Sung'479 provides specific numeric values that were well-known to be achievable and suitable for various grinding applications, such as CMP." MTEE at 8 (citing EX1002, ¶123)	
(4) "a POSITA would have known from Chou that the deformation of the abrasive tool could be reduced by having superabrasive particles with substantially the same distribution on both the working and non-working surfaces and a POSITA would have been motivated to make such an arrangement." MTEE at 8 (citing EX1002, ¶137)	EX1004, [0009], [0039], [0054]

Accordingly, Patent Owner's allegations that Dr. Shanfield's opinions are not "based on sufficient facts or data" are incorrect, and the Board should deny Patent Owner's motion to exclude EX1002.

III. THE BOARD SHOULD DENY PATENT OWNER'S MOTION TO EXCLUDE EXHIBITS 1042-1049, 1052, AND 1053

A. There Is No Basis To Exclude Exhibits 1042-1049

Patent Owner argues that the Board should exclude Exhibits 1042-1049 ("Tsai Publications") under 37 C.F.R. § 42.123(b) because "[a]ll of these publications were available to Petitioners at the time the Petition was filed, and therefore there is no

excuse for its belated filing of these exhibits." MTEE at 11. Patent Owner also argues that the Tsai Publications are "needlessly cumulative" and therefore excludable under Fed. R. Evid. 403. *See* MTEE at 11. Neither has any merit.

CTPG explicitly notes that Petitioner "may submit rebuttal evidence in support of its reply." CTPG at 73 (citing *Belden Inc. v. Berk-Tek LLC,* 805 F.3d 1064, 1077-1078 (Fed. Cir. 2015)). And indeed, Exhibits 1042-1049 are exactly that: rebuttal evidence in support of Petitioner's Reply that could not have been presented earlier because Petitioner was not aware that Patent Owner would choose Dr. Tsai as its expert, introducing issues of his bias towards Dr. Sung. The publications co-authored by Dr. Tsai and Dr. Sung submitted with the Reply demonstrate the close relationship the two had. *See* Reply at 16-17. The mere fact that Dr. Tsai co-authored numerous papers with Dr. Sung does not mean that they are "needlessly cumulative." Rather, the number of publications simply demonstrates the degree to which Dr. Tsai and Dr. Sung had been previously collaborating with each other—and hence demonstrates Dr. Tsai's bias in rendering opinions that are favorable to Dr. Sung. Accordingly, the Board should deny Patent Owner's motion to exclude Exhibits 1042-1049 under 37 C.F.R. § 42.123(b) and Fed. R. Evid. 403.

B. There Is No Basis To Exclude Exhibit 1052

Patent Owner argues that Exhibit 1052 ("Dinh-Ngoc") "has been filed belatedly without proper authorization under 37 C.F.R. § 42.123(b)" because "Petitioners have the burden to prove unpatentability, which includes the appropriate level of skill in the art, [so] they should have submitted this evidence at the outset." MTEE at 11. Patent Owner also argues that Dinh-Ngoc is "irrelevant" under Fed. R. Evid. 403. *See* MTEE at 11. Neither has any merit.

Exhibit 1052 is rebuttal evidence in support of Petitioner's Reply that could not have been presented earlier because Petitioner was not aware that Patent Owner would attempt to propose such an unreasonably narrow definition of a POSITA. Reply at 3-4; *see also* CTPG at 73 (explaining Petitioner "may submit rebuttal evidence in support of its reply") (citing *Belden Inc. v. Berk-Tek LLC,* 805 F.3d 1064, 1077-1078 (Fed. Cir. 2015)). And references cited by the Examiner during prosecution, such as Exhibit 1052, are relevant to the determination of the definition of a POSITA. *See Ex parte Wilfried JUD and Hans-Rudolf Nageli*, Appeal No. 2006-1061 (Board of Patent Appeals and Interferences, Jan. 2007) (informative) at 5 ("Prior art references are cited precisely because they show what those skilled in the art would have known and been able to do before the effective filing date for the application. … References are generally entitled to great weight, however, because they are almost always prepared without regard to their use as evidence in the

particular examination in which they are used. … Other references, even if not cited as a basis for the rejection, may be similarly probative of the skill level.") (citing *Velander v. Garner*, 348 F.3d 1359, 1371,68 USPQ2d 1769, 1778 (Fed. Cir. 2003) (contrasting preexisting references and litigation-inspired testimony from the authors of the references)). Because Exhibit 1052 is responsive reply evidence under 37 C.F.R. § 42.23 and relevant to the issue of the level of a POSITA, the Board should deny Patent Owner's motion to exclude EX1052 under 37 C.F.R. § 42.123(b) and Fed. R. Evid. 403.

C. There Is No Basis To Exclude Exhibit 1053

Patent Owner argues that Exhibit 1053 ("'786 Application") "has been filed belatedly without proper authorization under 37 C.F.R. § 42.123(b)" because "to the extent [Petitioners] viewed it as necessary to meet their burden of proof, they could and should have submitted it [with the Petition]." *See* MTEE at 12. But Exhibit 1053 is rebuttal evidence in support of Petitioner's Reply that could not have been presented earlier because Petitioner was not aware that Patent Owner would make conflicting arguments in related IPRs. Reply at 9-11; *see also* CTPG at 73 (explaining Petitioner "may submit rebuttal evidence in support of its reply") (citing *Belden Inc. v. Berk-Tek LLC,* 805 F.3d 1064, 1077-1078 (Fed. Cir. 2015)). Namely, Exhibit 1053 was introduced to demonstrate that "[f]or limitation [1E] of the '802 Patent—which is identical to limitation [1B] of the '270 Patent—Patent Owner

relied on the nearly identical passage from … EX1053" as providing priority—meaning the prior art Sung'479 similarly included an enabling disclosure. *See* Reply at 9-11. Patent Owner's reliance on nearly identical '786 Application passages in IPR2024-00535 to show enablement, while arguing here that Sung'479 is not enabling could not have been anticipated by Petitioner at the time the Petition was filed. Because Exhibit 1053 is responsive reply evidence under 37 C.F.R. § 42.23, the Board should deny Patent Owner's motion to exclude Exhibit 1053 under § 42.123(b).

IV. CONCLUSION

For the reasons stated above, Samsung respectfully requests that the Board deny Patent Owner's Motion to Exclude.

Dated: June 4, 2025

Respectfully submitted,

/Yung-Hoon Ha/
Yung-Hoon Ha
Reg. No. 56,368
yha@desmaraisllp.com
DESMARAIS LLP
230 Park Avenue
New York, NY 10169
Telephone: 212-351-3400
Facsimile: 212-351-3401

Lead Counsel for Petitioner
Samsung Electronics Co., Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on June 4, 2025, a complete copy of Petitioner's Opposition to Patent Owner's Motion to Exclude was served on counsel of record for the Patent Owner by filing the documents through P-TACTS and by sending via electronic mail to the following addresses:

Alex Chan, Reg. No. 52,713
Devlin Law Firm LLC
1526 Gilpin Avenue
Wilmington, DE 19806
Phone: (302) 449-9010
Fax: (302) 353-4251
achan@devlinlawfirm.com

dlflitparas@devlinlawfirm.com

Joel Glazer, Reg. No. 76,493
Jason Shapiro, Reg. No. 35,354
Devlin Law Firm LLC
1526 Gilpin Avenue
Wilmington, DE 19806
Phone: (302) 449-9010
Fax: (302) 353-4251
jglazer@devlinlawfirm.com
jshapiro@devlinlawfirm.com

Dated: June 4, 2025

Respectfully submitted,

/Yung-Hoon Ha/
Yung-Hoon Ha
Reg. No. 56,368
yha@desmaraisllp.com
DESMARAIS LLP

Lead Counsel for Petitioner
Samsung Electronics Co., Ltd.