

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MONOLITHIC POWER SYSTEMS, INC.,

Petitioner,

v.

GREENTHREAD, LLC,

Patent Owner.

IPR2024-00468 (Patent 8,421,195 B2)
IPR2024-00469 (Patent 9,190,502 B2)
IPR2024-00470 (Patent 11,121,222 B2)
IPR2024-00550 (Patent 10,510,842 B2)
IPR2024-00551 (Patent 10,734,481 B2)
IPR2024-00552 (Patent 11,121,222 B2)
IPR2024-00553 (Patent 11,316,014 B2)¹

DECLARATION OF CARLY SUMMERS

¹ The word-for-word identical paper is being served in each proceeding identified in the heading.

Declaration of Carly Summers

Pursuant to the Board's Order Regarding Supplemental Discovery and Briefs dated June 27, 2025, Petitioner submits herewith the following declaration:

1. My name is Carly Summers. I am employed by Petitioner Monolithic Power Systems, Inc. as Senior Corporate Counsel. I have been employed by Petitioner since August 2021.

2. I am over 21 years of age and otherwise competent to make this declaration. I make this declaration based on facts and matters within my own knowledge and on information provided to me by others. If called as a witness, I could and would competently testify to the matters set forth herein.

3. My responsibilities as Senior Corporate Counsel include leading the negotiation, drafting, and preparation of commercial contracts, including vendor, licensing, and supply agreements. I support Petitioner's Supply Chain and Sales team functions, including identifying legal risks and proposing strategies to safeguard Petitioner's interests.

4. As part of my role in overseeing Petitioner's supply chain contracts, I am familiar with Petitioner's sales agreements with customers, including whether any of Petitioner's sales agreements contain indemnification provisions.

5. As instructed by the Board's order, I have reviewed the list of Intel Accused Products on pages 4-8 of IPR0468, Exhibit 2005, which I understand are Intel products accused of practicing claims challenged in Patent Owner Greenthread,

LLC's prior litigation against Intel.

6. I have searched for sales agreements between Petitioner and Intel. There are no sales agreements at all between Petitioner and Intel, much less any sales agreements between Petitioner and Intel that would cover any of the Intel Accused Products.

7. I have searched for indemnification agreements between Petitioner and Intel. There are no indemnification agreements at all between Petitioner and Intel, much less any indemnification agreements between Petitioner and Intel that would cover any of the Intel Accused Products.

8. Petitioner did not sell to Intel, or supply Intel with, any of the Intel Accused Products. Consequently, Petitioner was not the supplier to Intel of any product, or component of a product, accused of infringement in the Intel litigation. (By way of background, Petitioner's principal customers are contract manufacturers located in Asia, rather than downstream branded companies such as Intel.)

9. As instructed by the Board's order, I have conducted an investigation into when Petitioner first became aware of Patent Owner's prior litigation against Intel. Specifically, I have searched my own files, including e-mails, for any reference to Patent Owner or Patent Owner's prior litigation against Intel. I have asked every employee in Petitioner's legal department to do the same. Furthermore, I determined that there were three persons who had been employed in Petitioner's

legal department during the 2022-23 time period but who no longer work for Petitioner. I requested our IT department search the archived files and e-mails of those three former employees for any reference to Patent Owner or Patent Owner's prior litigation against Intel.

10. None of the searches described above turned up any reference to Patent Owner or Patent Owner's prior litigation against Intel prior to May 26, 2023, the date that Patent Owner filed its lawsuit against Petitioner in the United States District Court for the District of Delaware. Thus, I found no evidence that Petitioner had any knowledge of Patent Owner at all prior to May 26, 2023, much less Patent Owner's prior litigation against Intel. Instead, Petitioner learned of the Intel litigation as it began to investigate the allegations in, and merits of, Patent Owner's May 26, 2023 complaint against Petitioner. Based on my investigation, it appears Petitioner first learned of Patent Owner's litigation against Intel on or about May 26, 2023.

11. I am informed and believe that Patent Owner sued Intel on January 27, 2022 and that Patent Owner and Intel filed a joint motion to dismiss that lawsuit on April 24, 2023. I am further informed and believe that on April 26, 2023, Patent Owner and Intel filed stipulations to dismiss all of Intel's *Inter Partes* Review petitions challenging certain of Patent Owner's patent claims. Thus, Patent Owner had moved to dismiss its lawsuit, and Intel and Patent Owner had stipulated to

Declaration of Carly Summers

dismiss Intel's IPRs, at least a month before Petitioner had any knowledge of either Patent Owner or Patent Owner's lawsuit against Intel.

12. Petitioner had no knowledge of, or involvement in, Intel's defense in its litigation against Patent Owner. Petitioner did not actually control, nor was it in a position to control, Intel's defense in that litigation.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001; and further that such willful false statements may jeopardize the results of these proceedings.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 10, 2025 in Kirkland WA.



CARLY SUMMERS