From:	Neil Ozarkar
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; Arvind Jairam
Subject:	IPR2024-00550, -00551, -00552, -00553
Date:	Friday, May 10, 2024 4:35:25 PM
Attachments:	image001.png image002.png

IPR2024-00550, -00551, -00552, -00553

Your Honors,

Patent Owner Greenthread LLC requests 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). This request is similar to the email request below, in which Patent Owner was granted such authorization for IPR2024-00468, -00469, -00470, which are proceedings involving the same parties and involving related patents that are part of the same patent family.

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.

4. Communications and agreements relating to joint defense group work or coordination between Petitioner (or its affiliates) and other current or former Petitioners that have filed IPR petitions against Greenthread.

Patent Owner met and 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).) Further, Petitioner has no JDG agreement with time-barred entities (Intel, Dell, or Sony) for these patents, this case, or any of Greenthread's prior cases, and therefore there are also no communications related to any such nonexistent agreements. None of the other petitioners are time-barred and Petitioner did, moreover, not participate in their petitions and are not RPIs. Patent Owner's request for discovery onto litigation-specific joint defense agreements is not warranted.

If the Board would find it helpful, the parties can present available dates for a conference call when a panel has been set.

Respectfully,
Neil Ozarkar
Counsel for Patent Owner Greenthread LLC

McKool Smith | Neil Ozarkar
Senior Counsel | Houston | (713) 485-7310

From: Trials <Trials@USPTO.GOV>
Sent: Friday, April 26, 2024 2:47 PM
To: Neil Ozarkar <nozarkar@McKoolSmith.com>; Trials <Trials@USPTO.GOV>; Arvind Jairam <ajairam@McKoolSmith.com>
Cc: bombach-ptab@perkinscoie.com; Ai, Bing (Perkins Coie) <Ai@perkinscoie.com>; esterhay-ptab@perkinscoie.com; Schnurer-ptab@perkinscoie.com; kadjo-ptab@perkinscoie.com; jjiang-ptab@perkinscoie.com; PerkinsServiceMPS-GreenthreadIPR@perkinscoie.com; Greenthread-Monolithic-MS <Greenthread-Monolithic-MS@mckoolsmith.com>
Subject: RE: IPR2024-00468, -00469, -00470

Counsel,

From the Board –

Patent Owner's request to file a motion for additional discovery is granted. In each of the above-referenced proceedings, Patent Owner is authorized to file a motion for additional discovery of no more than 15 pages, limited to the issue of whether the Petition is time barred, no later than May 9, 2024. Petitioner may file an opposition in each of the above-referenced proceedings of no more than 15 pages, no later than May 23, 2024. Patent Owner may file a reply of no more than 5 pages,

no later than May 31, 2024.

No conference call with the panel is necessary at this time.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Neil Ozarkar <nozarkar@McKoolSmith.com>
Sent: Tuesday, April 23, 2024 5:36 PM
To: Trials <Trials@USPTO.GOV>; Arvind Jairam <ajairam@McKoolSmith.com>
Cc: bombach-ptab@perkinscoie.com; Ai, Bing (Perkins Coie) <Ai@perkinscoie.com>; esterhay-ptab@perkinscoie.com; Schnurer-ptab@perkinscoie.com; kadjo-ptab@perkinscoie.com; jjiang-ptab@perkinscoie.com; PerkinsServiceMPS-GreenthreadIPR@perkinscoie.com; Greenthread-Monolithic-MS <Greenthread-Monolithic-MS@mckoolsmith.com>
Subject: RE: IPR2024-00468, -00469, -00470

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IPR2024-00468, -00469, -00470

Your Honors,

To clarify patent owner's email request below, Patent Owner Greenthread LLC also seeks the following discovery, which pertains to whether the Petitions are time barred under 35 U.S.C. § 315(b):

> 4. Communications and agreements relating to joint defense group work or coordination between Petitioner (or its affiliates) and other current or former Petitioners that have filed IPR petitions against Greenthread.

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

Petitioner's position: Petitioner's position for these discovery requests is as stated below. For #4, Petitioner has no JDG agreement with time-barred entities (Intel, Dell, or Sony) for these patents, this case, or any of Greenthread's prior cases, and therefore there are also no communications related to any such nonexistent agreements. None of the other petitioners are time-barred and Petitioner did, moreover, not participate in their petitions and are not RPIs. Patent Owner's request for discovery onto litigation-specific joint defense agreements is not warranted.

If the Board would find it helpful, the parties can present available dates for a conference call when a panel has been set.

Respectfully,
Neil Ozarkar
Counsel for Patent Owner Greenthread LLC

McKool Smith | Neil Ozarkar
Senior Counsel | Houston, TX | Tel: (713) 485-7310

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From: Trials <Trials@USPTO.GOV>
Sent: Wednesday, March 6, 2024 2:01 PM
To: Arvind Jairam <ajairam@McKoolSmith.com>; Trials <Trials@USPTO.GOV>
Cc: bombach-ptab@perkinscoie.com; Ai, Bing (Perkins Coie) <Ai@perkinscoie.com>; esterhay-ptab@perkinscoie.com; Schnurer-ptab@perkinscoie.com; kadjo-ptab@perkinscoie.com; jjiang-ptab@perkinscoie.com; PerkinsServiceMPS-GreenthreadIPR@perkinscoie.com; Greenthread-Monolithic-MS <Greenthread-Monolithic-MS@mckoolsmith.com>
Subject: RE: IPR2024-00468, -00469, -00470

Counsel,

These cases have not yet been assigned to a Panel. Once a panel has been assigned, your request will be forwarded to the panel.

Regards,

Andrew Kellogg,
Supervisory Paralegal
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571)272-7822

From: Arvind Jairam <ajairam@McKoolSmith.com>
Sent: Wednesday, March 6, 2024 2:43 PM
To: Trials <Trials@USPTO.GOV>
Cc: bombach-ptab@perkinscoie.com; Ai, Bing (Perkins Coie) <Ai@perkinscoie.com>; esterhay-ptab@perkinscoie.com; Schnurer-ptab@perkinscoie.com; kadjo-ptab@perkinscoie.com; jjiang-ptab@perkinscoie.com; PerkinsServiceMPS-GreenthreadIPR@perkinscoie.com; Greenthread-Monolithic-MS <Greenthread-Monolithic-MS@mckoolsmith.com>
Subject: IPR2024-00468, -00469, -00470

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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:

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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, D.C.
Tel: (202) 370-8324
www.mckoolsmith.com

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