

From: [Trials](#)
To: [Erickson, Brian](#); [Trials](#)
Cc: [DLA-BOE-OptronicsSciences-IPR](#); [rak_optronic](#); [Limbach, Alan](#); [Saulnier, Mike](#); [Jefferson Cummings](#)
Subject: RE: IPR2024-01130 - Request to submit supplemental information
Date: Monday, October 6, 2025 10:49:41 AM
Attachments: [image001.png](#)
[image002.png](#)

Counsel,

Petitioner's request to file as exhibits two expert-report excerpts concerning Patent Owner's definition of a POSITA is granted.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Erickson, Brian <Brian.Erickson@us.dlapiper.com>
Sent: Friday, October 3, 2025 12:08 PM
To: Trials <Trials@USPTO.GOV>
Cc: DLA-BOE-OptronicsSciences-IPR <DLA-BOE-OptronicsSciences-IPR@us.dlapiper.com>; rak_optronic <rak_optronic@raklaw.com>; Limbach, Alan <alan.limbach@us.dlapiper.com>; Saulnier, Mike <Michael.Saulnier@us.dlapiper.com>; Jefferson Cummings <jcummings@raklaw.com>
Subject: IPR2024-01130 - Request to submit supplemental information

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

IPR2024-01130 – Unopposed Request to Submit Supplemental Information

Dear Honorable Board,

Patent Owner served two expert reports in related litigation (one on August 25, 2025 from a different expert and one on September 15, 2025 from Patent Owner's IPR expert) related to the definition of a POSITA for the challenged patent. Petitioner seeks leave to file these definitions as new exhibits because Petitioner contends they are inconsistent with Patent Owner's

definition of a POSITA in this IPR. Petitioner requests leave to file these exhibits now so that they are available to the parties for Patent Owner's anticipated motion to exclude Petitioner's expert (due October 7, 2025). The timing is important because Petitioner intends to use Patent Owner's litigation definitions of a POSITA to argue the Board should reject Patent Owner's definition of a POSITA in this IPR, on which Petitioner understands the motion to exclude will be based. Patent Owner does not oppose this request as long as Patent Owner is allowed to refer to these exhibits in its upcoming motion to exclude to pre-but any allegation of inconsistency, and as long as Petitioner's arguments are limited to the scope stated herein. Petitioner does not oppose this condition.

In the alternative, the parties request a call with the Board to discuss filing a motion for supplemental information to address the above issues and how that would relate to the current schedule for this IPR. The parties will make themselves available at the Board's convenience between now and next Tuesday for a call.

Respectfully submitted,
Brian Erickson
Counsel for Petitioner BOE

Brian K. Erickson
Partner

T +1 512 457 7059
F +1 512 721 2263
M +1 512 426 6316
brian.erickson@us.dlapiper.com

DLA Piper LLP (US)
303 Colorado Street
Suite 3000
Austin, TX 78701-4653



dlapiper.com

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to postmaster@dlapiper.com. Thank you.