

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAVANT TECHNOLOGIES LLC d/b/a GE LIGHTING and
LEDVANCE LLC,

Petitioners,

v.

FEIT ELECTRIC COMPANY, INC.,

Patent Owner.

IPR2024-01357 (Patent 8,604,678 B2)

SAVANT TECHNOLOGIES LLC d/b/a GE LIGHTING,

ELONG INTERNATIONAL USA INC., and

XIAMEN LONGSTAR LIGHTING CO. LTD,

Petitioners,

v.

FEIT ELECTRIC COMPANY, INC.,

Patent Owner.

IPR2025-00260 (Patent 8,604,678 B2)

PATENT OWNER'S REQUEST FOR DIRECTOR REVIEW

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
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October 28, 2025 Memorandum from Director John A. Squires, “Precedential designation of <i>Corning Optical Communications RF, LLC v. PPC Broadband Inc.</i> , IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) (except for § II.E.1)	1, 11
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PATENT OWNER’S EXHIBIT LIST

Exhibit	Description
2001	Declaration of E. Fred Schubert, Ph.D.
2002	<i>Curriculum vitae</i> for E. Fred Schubert, Ph.D.
2003	U.S. Patent Publication 2002/0180351 (“McNulty”)
2004	U.S. Patent Publication 2001/0000622 (“Reeh”)
2005	Scheduling Order (Dkt. 37), <i>Feit Electric Co., Inc. v. Elong International USA Inc.</i> , No. 3:24-cv-1089 (N.D. Tex.)
2006	June 2024 United States District Courts — Federal Court Management Statistics for N.D. Tex., E.D. Ky., and N.D. Ohio (https://www.uscourts.gov/statistics-reports/federal-courtmanagement-statistics-june-2024)
2007	Case Management Order (Dkt. 19), <i>Feit Electric Co., Inc. v. Savant Technologies LLC d/b/a GE Lighting</i> , No. 1:24-cv-473 (N.D. Ohio)
2008	Scheduling Order (Dkt. 33), <i>Feit Electric Co., Inc. v. Ledvance, LLC</i> , No. 5:24-cv-31 (E.D. Ky.)
2009	Savant’s Initial Invalidity and Unenforceability Contentions, <i>Feit Electric Co., Inc. v. Savant Technologies LLC d/b/a GE Lighting</i> , No. 1:24-cv-473 (N.D. Ohio), served on September 5, 2024
2010	Ledvance’s Initial Invalidity and Unenforceability Contentions, <i>Feit Electric Co., Inc. v. Ledvance, LLC</i> , No. 5:24-cv-31 (E.D. Ky.), served on September 24, 2024
2011	Elong’s Initial Invalidity and Unenforceability Contentions, <i>Feit Electric Co., Inc. v. Elong International USA Inc.</i> , No. 3:24-cv-1089 (N.D. Tex.), served on December 9, 2024
2012	Comparison of Petition and Expert Testimony Analysis
2013	Mike Krames, <i>Light-Emitting Diode Technology for Solid-State Lighting</i> , in <i>Frontiers of Engineering: Reports on Leading-Edge Engineering from the 2009 Symposium</i> , 67 (2009)
2014	E. Fred Schubert, <i>Light-Emitting Diodes</i> (2nd ed. 2006)
2015	Matthew G. Bevan & Bruce M. Romenesko, <i>Modern Electronic Packaging Technology</i> , 20 JOHNS HOPKINS APL TECH. DIGEST 22 (1999)
2016	X. A. Cao & S. D. Arthur, <i>High-power and reliable operation of vertical light-emitting diodes on bulk GaN</i> , 85 Applied Physics Letters 3971 (2004).
2017	Michael R. Krames et al., <i>Status and Future of High-Power Light-Emitting Diodes for Solid-State Lighting</i> , 3 J. Display Tech. 160 (2007)

Exhibit	Description
2018	Mehmet Arik et al., <i>Thermal Management of LEDs: Package to System</i> , 5187 Proc. SPIE 64 (2004)
2019	U.S. Dep't Energy, Critical Materials Strategy (Dec. 2010)
2020	Zongyuan Liu et al., <i>Measurement and numerical studies of optical properties of YAG:Ce phosphor for white light-emitting diode packaging</i> , 49 Applied Optics 247 (2010)
2021	March 2024 United States District Courts — Federal Court Management Statistics for N.D. Tex., E.D. Ky., and N.D. Ohio (https://www.uscourts.gov/data-news/reports/statisticalreports/federal-court-management-statistics/federal-courtmanagement-statistics-march-2024)
2022	September 2024 United States District Courts — Federal Court Management Statistics for N.D. Tex., E.D. Ky., and N.D. Ohio (https://www.uscourts.gov/data-news/reports/statisticalreports/federal-court-management-statistics/federal-courtmanagement-statistics-september-2024)
2023	Declaration of William A. Doolittle, Ph.D., dated November 6, 2024, <i>Feit Electric Company, Inc. v. Savant Technologies, d/b/a GE Lighting</i> , Case No. 24-cv-00473
2024	Rebuttal Declaration of William A. Doolittle, Ph.D., dated November 20, 2024, <i>Feit Electric Company, Inc. v. Savant Technologies, d/b/a GE Lighting</i> , Case No. 24-cv-00473
2025	Deposition Transcript of William A. Doolittle, Ph.D., dated June 10, 2025
2026	Declaration of E. Fred Schubert, Ph.D., dated June 25, 2025
2027	U.S. Provisional App. No. 61/427,411, filed on December 21, 2010
2028	U.S. Provisional App. No. 61/390,091, filed on October 5, 2010
2029	Home Depot - Feit Electric White Filament LED Light Bulbs listing
2030	Candle Power Forums article: Feit LED filament bulb with white filaments
2031	The Home Depot Announces 2024 Innovation Award Winners
2032	Feit Electric Lighting Instagram consumer comments regarding filaments
2033	Feit Electric Lighting Instagram consumer comments regarding yellow filaments
2034	Feit Electric Lighting Instagram consumer comments: Regular Yellow Filament vs. White Filament

Exhibit	Description
2035	Home Depot White Filament price point of \$29.97
2036	Home Depot Yellow Filament price point of \$21.97
2037	Reddit: Do white filament LED edison bulbs exist?
2038	Deposition Transcript of William A. Doolittle, Ph.D., dated July 17, 2025
2039	Declaration of E. Fred Schubert, Ph.D., dated July 25, 2025
2040	March 3, 2017 LEDVANCE Press Release, <i>available at</i> https://www.ledvance.com/en-int/company/press/press-releases/2017/chinese-consortium-completes-acquisition-of-ledvance-n159186 (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2041	March 4, 2018 LEDVANCE Press Release, <i>available at</i> https://www.ledvance.com/unternehmen/newsroom/pressemeldungen/2018/mls-wird-alleiniger-eigentumer-von-ledvance-n159699 (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2042	MLS International Website, <i>available at</i> https://www.mls-ledlights.com/html_news/?2-Welcome-to-our-website-1.html#:~:text=Qinghuan%20Sun%2C%20President%20of%20MLS,Canada%20on%20an%20interim%20basis (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2043	MLS Website “Our Team” available at https://www.led-mls.com/our-team.html (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]

Exhibit	Description
2044	LEDVANCE Wikipedia page, <i>available at</i> https://en.wikipedia.org/wiki/LEDVANCE (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2045	MLS International Website, <i>available at</i> https://www.mls-ledlights.com/html_news/?1-Welcome-to-our-website-1.html (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2046	MLS International Website, <i>available at</i> https://www.mls-ledlights.com/html_news/?3-Welcome-to-our-website-1.html (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2047	MLS LinkedIn page, <i>available at</i> https://www.linkedin.com/company/china-electronics-corporation-beijing/ (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2048	Entities Identified as Chinese Military Companies Operating in the United States in accordance with Section 1260H of the William M. (“Mac”) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), <i>available at</i> https://media.defense.gov/2024/Jan/31/2003384819/-1/-1/0/1260H-LIST.PDF (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]

Exhibit	Description
2049	August 18, 2024 FitchRatings Commentary on Yiwu State-Owned Capital Operation, <i>available at</i> https://www.fitchratings.com/research/international-public-finance/fitch-affirms-yiwu-state-owned-capital-operation-at-bbb-outlook-stable-18-08-2024 (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2050	June 12, 2025 CCXAP Credit Rating Commentary on Yiwu State-Owned Capital Operation, <i>available at</i> https://www.ccxap.com/upload/news/1358/self/684a996a624bc.pdf (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]
2051	LEDVANCE Opening Claim Construction Brief, <i>Feit Electric Company, Inc. v. LEDVANCE, LLC</i>, Case No. 5:24-00031 Dkt. 54-1 (E.D. Ky.) [Tentatively identified, but not filed, pending request for leave to file]
2052	RESERVED
2053	Elong and Xiamen Longstar Responsive Claim Construction Brief, <i>Feit Electric Company, Inc. v. Elong Int’l USA, Inc., et al.</i>, Case No. 3:24-cv-01089, Dkt. 52 (N.D. Tex.) [Tentatively identified, but not filed, pending request for leave to file]
2054	Savant Opening Claim Construction Brief, <i>Feit Electric Company, Inc. v. Savant Techs. LLC</i>, Case No. 1:24-cv-473, Dkt. 45 (N.D. Ohio) [Tentatively identified, but not filed, pending request for leave to file]

Exhibit	Description
2055	Returned summons confirming service of the complaint on March 14, 2024, in <i>Feit Electric Company, Inc. v. Savant Techs. LLC</i>, Case No. 1:24-cv-473 (N.D. Ohio) [Tentatively identified, but not filed, pending request for leave to file]
2056	“Chinese packaged LED manufacturer MLS buys stake in Kaistar Lighting,” BUILDINGS, <i>available at</i> https://www.buildings.com/building-systems-om/lighting/article/55257801/chinese-packaged-led-manufacturer-mls-buys-stake-in-kaistar-lighting (last accessed on November 13, 2025) [Tentatively identified, but not filed, pending request for leave to file]

I. INTRODUCTION

Patent Owner Feit Electric Company, Inc. (“Feit Electric”) respectfully requests Director Review of the Decisions on Institution in this consolidated *inter partes* review. The Director has made two recent changes in the law that warrant Director Review.

First, on October 28, 2025, the Director issued a Memorandum *requiring* all Petitioners to identify all real parties in interest in an IPR Petition. Director’s Memorandum.¹ The Director’s Memorandum placed particular emphasis on concerns of exploitation by foreign state-backed actors. *Id.* Petitioner LEDVANCE LLC (“LEDVANCE”) chose not to identify its Chinese parent company, MLS Co. Ltd. (“MLS”) as a real party of interest in the Petition. MLS controls LEDVANCE, and the two companies share the same leader, Mr. Qinghuan Sun. Further, MLS has announced that it is expanding into the lighting fixtures market and therefore has a direct interest in challenging Feit Electric’s U.S. Patent No. 8,604,678 (the “’678 Patent”). MLS has also invested in other lighting companies, including co-investments with the Chinese state-owned company, China Electronics Corporation (“CEC”). LEDVANCE’s decision not to identify

¹ October 28, 2025 Memorandum from Director John A. Squires, “Precedential designation of *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) (except for § II.E.1).” (“Director’s Memorandum”).

MLS as a real party in interest by itself justifies Director Review in view of the recent Director's Memorandum.

Second, both of the consolidated Petitions violated the Director's two recent decisions regarding the requirement that a petitioner explain any inconsistent claim construction positions to the Board. *See Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20 at 3–5 (Director Nov. 3, 2025) (precedential) (“*Revvo Techs.*”) (explaining the Office's approach to addressing a petitioner's different claim construction positions in two forums); *Tesla, Inc., v. Intellectual Ventures II LLC*, IPR2025-00340, Paper 18 (Director Nov. 5, 2025) (informative) (“*Tesla*”) (same). In *Revvo Technologies* and *Tesla*, the Director granted Director Review and vacated the Decision to institute because the petitioner argued inconsistent claim constructions before the Board and the District Court. *Id.* Here, *all four* Petitioners did the same thing. Petitioners urged the Board to interpret *all* claim terms according to their plain and ordinary meaning to a person of ordinary skill in the art. In direct contradiction, Petitioners argued in their respective district court proceedings that certain limitations of the '678 Patent are indefinite because a person of ordinary skill in the art *could not discern* their meaning. Petitioners chose not to inform the Board of these contradictory positions, and this failure independently justifies Director Review, vacatur of the institution Decisions, and termination of *inter partes* review.

Feit Electric submits that there is good cause to extend the deadline specified in Rule 42.75(c)(1) due to the Director's two recent changes in the law identified above. Feit Electric respectfully requests that the Director consider this Request timely filed under 37 C.F.R. § 42.75(c)(1).

II. STATEMENT OF FACTS

A. Patent Owner and the Challenged Patent

Feit Electric is a family-owned company headquartered in Pico Rivera, California. Founded in 1978, Feit Electric has grown into a global brand known for its focus on affordable, quality-driven lighting solutions, including LED bulbs, decorative fixtures, and a full smart home ecosystem. In addition to its investments in innovative technology, Feit Electric has also recently expanded its U.S. operations, acquiring a large distribution center in McDonough, Georgia, to better serve East Coast retail customers.

The '678 Patent provides a solution to a longstanding problem with LED lightbulbs. Before the invention of the '678 Patent, LED lightbulbs emitting white light appeared yellow when the light is off due to a phosphorous layer required in commercially feasible LED lightbulbs. The invention of the '678 Patent solved this problem by adding a diffusion layer that makes the LED appear white when the lightbulb is turned off. Additionally, the diffusion layer increases the efficiency of the phosphorous layer resulting in a more uniform emitted white light.

B. The Petitions and Consolidated Proceedings

After being sued by Feit Electric for patent infringement, Petitioners LEDVANCE and Savant Technologies LLC (“Savant”) filed IPR2024-01357 on August 26, 2024. In that Petition, LEDVANCE and Savant challenged claims 1-3, 6-7, 9-10, 16-21, 25-26, 29 of the ’678 Patent. IPR2024-01357, Paper 1. On December 17, 2024, Feit Electric filed its Patent Owner Preliminary Response, including a request for discretionary denial of institution based on pending patent infringement litigation involving the same parties in district court. IPR2024-01357, Paper 13 at 26-35. On March 5, 2025, the Board instituted IPR2024-01357. Paper 17.

Petitioners Savant, Elong International USA Inc. (“Elong”), and Xiamen Longstar Lighting Co. Ltd. (“Xiamen Longstar”) filed IPR2025-00260 on December 9, 2024. In that petition, Savant, Elong, and Xiamen Longstar challenged claims 11-14 of the ’678 Patent. IPR2025-00260, Paper 1. On April 24, 2025, Feit Electric filed a Request for Discretionary Denial based on pending patent litigation involving the same parties in district court. IPR2025-00260, Paper 13. On June 12, 2025, the Director denied Feit Electric’s Request for Discretionary Denial. IPR2025-00260, Paper 16. On June 23, 2025, the Board instituted IPR2025-00260 and consolidated it with IPR2024-01357. IPR2025-00260, Paper 17.

C. Petitioner LEDVANCE's Failure to Identify Its Chinese Parent Corporation as a Real Party in Interest

In their IPR2024-01357 Petition, LEDVANCE and Savant named only one other real party in interest, Seoul Semiconductor Co. Ltd. IPR2024-001357, Paper 1 at 16. LEDVANCE chose not to inform the Board that it is wholly owned by a Chinese lighting conglomerate with ties to the Chinese government and a direct interest in challenging Feit Electric's '678 Patent.

On March 3, 2017, LEDVANCE was purchased by a “Chinese investment consortium, consisting of the strategic investor IDG Capital, the LED packaging manufacturer MLS CO., LTD. (MLS) and Yiwu State-Owned Assets Operation Center (Yiwu).” Ex. 2040. LEDVANCE stated that “[t]hrough MLS, we gain access to very cost-efficient and powerful LED components and will strengthen our market presence in Asia, especially in China.” *Id.* MLS Chairman Qinghuan Sun stated:

We are really looking forward to working together with our colleagues at LEDVANCE. The wealth of experience and qualifications of LEDVANCE's management team and employees provides a strong basis for collaboration. We will be working closely together in order to strengthen our position as leaders in the global lighting market.

Id. One year later, on March 3, 2018, LEDVANCE announced that MLS had become the *sole owner* of LEDVANCE. Ex. 2041. Yiwu State-Owned Assets Operation Center became a shareholder in MLS. *Id.* Later that same year, MLS

Chairman Qinghuan Sun became the CEO and Managing Director of LEDVANCE.

Ex. 2042. Mr. Sun continues to lead *both* LEDVANCE *and* MLS today.

Exs. 2043, 2044.

MLS has announced that it aims to expand its own offerings beyond LED packages to become a brand in finished lighting products. Ex. 2045. MLS noted that it “currently owns two brand names: ‘MLS’ and ‘LEDVANCE’. Its strategy going forward will be primarily about building up brand recognition and opening new sales channels.” *Id.*

MLS also has links to the Chinese government through its investment in yet another lighting company, Kaistar Lighting. Exs. 2046, 2056. MLS announced:

[T]he investment will help MLS continue to expand its presence in the packaged LED space through an intricate set of partnerships that are tied to China Electronics Company (CEC) — a holding company with businesses across the high-tech space and with relationships to a number of LED and solid-state lighting (SSL) companies.

Ex. 2046. China Electronics Corporation (CEC) is a Chinese state-owned company (Ex. 2047) that the U.S. Department of War has identified as a Chinese Military Company operating in the United States. Ex. 2048.

D. Petitioners’ Inconsistent Claim Construction Positions Before the Board and the District Court, and the Board’s Reliance on Petitioners’ Positions

In their IPR2024-01357 Petition, filed on August 26, 2024, LEDVANCE and Savant argued that “[c]laims should be understood according to their ordinary and

customary meaning as understood by a POSA at the time of the invention considering the language of the claims, the specification, and the prosecution history of record.” IPR2024-01357, Paper 1 at 18-19. On this basis, LEDVANCE and Savant submitted that “no construction should be necessary to institute this petition.” *Id.* at 19. Similarly, in their IPR2025-00260 Petition, filed on December 9, 2024, Savant, Elong, and Xiamen Longstar made the same assertion. IPR2025-00260, Paper 1 at 20-21. Neither Petition made any specific claim construction argument concerning the claim limitations “improves an off state white appearance” or “improves the OFF state white appearance” (collectively, the “OFF state white appearance” limitations). On the contrary, by urging the Board to adopt their plain and ordinary meaning, both Petitions asserted that these terms would be understood by a person of ordinary skill in the art and should be interpreted according to their plain and ordinary meaning. IPR2024-01357, Paper 1 at 18-19; IPR2025-00260, Paper 1 at 20-21.

The Board relied on Petitioners’ submissions in both proceedings. In its Decision instituting IPR2024-01357, issued on March 5, 2025, the Board did not construe the “OFF state white appearance” limitations. IPR2024-01357, Paper 17 at 17-20. Nor did the Board construe those limitations in its Decision to institute IPR2025-00260, which issued on June 23, 2025. IPR2025-00260, Paper 17.

In the meantime, between filing the Petitions and institution, *all four* Petitioners made the *opposite* argument to the district courts. On January 23, 2025, LEDVANCE argued to the Eastern District of Kentucky that the “OFF state white appearance” limitations are indefinite under 35 U.S.C. § 112 because they “fail[] to inform, with reasonable certainty, those skilled in the art about the scope of the invention.” Ex. 2051 at 6-13. Similarly, on March 13, 2025, Savant made the same argument to the Northern District of Ohio, asserting that the “OFF state white appearance” limitations cannot be construed because they are indefinite. Ex. 2054 at 3-7. And on April 16, 2025, Elong and Xiamen Longstar made the same indefiniteness arguments to the Northern District of Texas. Ex. 2053 at 2-7.

None of the Petitioners informed the Board in either Petition that they would argue indefiniteness in district court, nor did they even attempt to explain how their diametrically opposed invalidity arguments to the Board and the district courts could be reconciled or justified.

III. ARGUMENT

Director Review of the institution Decisions in these consolidated proceedings is justified for two independent reasons, both based on the Director’s recent changes in the law. First, Petitioner LEDVANCE failed to identify its Chinese parent company, MLS, as a real party in interest. Second, all four Petitioners made diametrically opposed claim construction arguments before the

Board and the district courts, and they made no effort to inform the Board or to reconcile these contradictory positions. In light of the recent Director's Memorandum and the *Revvo Technologies* and *Tesla* decisions, each of Petitioners' failures independently justifies Director Review, vacatur of the institution Decisions, and termination of the *inter partes* review.

A. Petitioner LEDVANCE's Failure to Name a Real Party in Interest Independently Justifies Director Review

LEDVANCE's failure to identify MLS as a real party in interest stands in direct violation of the Director's Memorandum and precedential designation of *Corning Optical*. In *Corning Optical*, the Board terminated three previously instituted IPR proceedings because the petitioner had failed to identify its parent and sister companies as real parties in interest. *Corning Optical*, Paper 68 at 14-26. LEDVANCE made the same critical omission and, consistent with the Director's Memorandum designating *Corning Optical* as precedential, the same result should apply.

The Board in *Corning Optical* terminated the instituted IPR proceedings after finding that the petitioner's parent company, Corning Inc., and sister company, Corning NC, were both real parties in interest that the petitioner had failed to identify in its petitions. *Id.* at 4, 14-26. The Board reached this

conclusion after determining that these unnamed entities shared common executive leadership with and exercised control over the petitioner. *Id.* at 16-26.

The same circumstances exist here. MLS owns 100% of LEDVANCE.

Ex. 2041. Shortly after completing the acquisition, MLS Chairman Qinghuan Sun became the CEO and Managing Director of LEDVANCE, consolidating executive control over both companies. Ex. 2042. Mr. Sun continues to lead *both* LEDVANCE *and* MLS to this day. Exs. 2043, 2044.

MLS is also an active participant in the same lighting markets as both LEDVANCE and Feit Electric. In its effort to expand beyond LED packages and into the market for finished lighting products, MLS noted that it “currently owns two brand names: ‘MLS’ and ‘LEDVANCE’” and that “[i]ts strategy going forward will be primarily about building up brand recognition and opening new sales channels.” *Id.* These statements demonstrate MLS’ control over LEDVANCE and its operation of both brands in the same market for finished lighting products.

The Director’s Memorandum emphasizes concerns about exploitation by foreign state-backed actors. In particular, the Director’s Memorandum noted that “[s]tate-linked entities have covertly financed or directed U.S. patent challenges, acquisitions, or licensing transactions in sectors such as semiconductors, artificial intelligence, quantum computing, and advanced materials,” effectively helping “foreign adversaries to gain influence over, or access to, U.S. intellectual-property

assets and proceedings.” Director’s Memorandum at 2. MLS’ ownership of and control over LEDVANCE triggers exactly those same concerns because MLS and LEDVANCE have been linked to multiple Chinese state-owned entities.

When MLS first invested in LEDVANCE, it was part of a “Chinese investment consortium, consisting of the strategic investor IDG Capital, the LED packaging manufacturer MLS CO., LTD. (MLS) and Yiwu State-Owned Assets Operation Center (Yiwu).” Ex. 2040. Multiple credit rating agencies have emphasized the financial connections between Yiwu and the government of Yiwu City in the People’s Republic of China. Exs. 2049, 2050.

More recently, MLS joined China Electronics Corporation (CEC) in purchasing yet another lighting company, Kaistar Lighting. Exs. 2046, 2056. In announcing the acquisition, MLS emphasized its ties to CEC, which is a Chinese state-owned company (Ex. 2047) that the U.S. Department of War has identified as a Chinese Military Company operating in the United States. Ex. 2048.

[T]he investment will help MLS continue to expand its presence in the packaged LED space *through an intricate set of partnerships that are tied to China Electronics Company (CEC)* — a holding company with businesses across the high-tech space and with relationships to a number of LED and solid-state lighting (SSL) companies.

Id. (emphasis added). Combined with Qinghuan Sun as the Chairman/CEO of both MLS and LEDVANCE, as well as the common market objectives and control between these two companies, these connections to the Chinese government

further exemplify the concerns about foreign state-backed actors “gain[ing] influence over, or access to, U.S. intellectual-property assets and proceedings.” Director’s Memorandum at 2.

All of these reasons merit Director Review and vacatur of the Decision to institute based on LEDVANCE’s failure to identify MLS as a real party in interest in its Petition. At the very least, Feit Electric requests Director authorization to take discovery concerning the connections between LEDVANCE and MLS.²

B. Petitioners’ Inconsistent Claim Constructions Before the Board and the District Courts Independently Justify Director Review

Beyond LEDVANCE’s failure to identify MLS as a real party in interest, the inconsistent claim construction positions presented by *all four* Petitioners independently justify Director Review, vacatur of the institution Decisions, and termination of the *inter partes* review. *See Revvo Techs.*, Paper 20 at 3–5 (Director Nov. 3, 2025) (precedential) (explaining the Office’s approach to addressing a

² Consistent with the now-precedential decision in *Corning Optical*, there are two reasons that LEDVANCE should not be permitted to amend the Petition at this late stage to identify MLS as a real party in interest. First, the Petition was statutorily incomplete and “cannot be considered” because it failed to meet the requirements of 35 U.S.C. § 312(a)(2). *Corning Optical*, Paper 68 at 24. Second, even if the Director permitted amendment, the Petition would receive a new filing date and be barred by estoppel because Feit Electric served its infringement complaint on LEDVANCE more than one year ago, on March 14, 2024. *Id.* at 24-25; Ex. 2055.

petitioner's different claim construction positions in two forums); *Tesla*, Paper 18 (PTAB Nov. 5, 2025) ("*Tesla*") (informative) (same).

In his recent *Revvo Technologies* decision, the Director noted that, "although the Board's rules 'do not necessarily prohibit petitioners from taking inconsistent claim construction positions before the Board and a district court,' when a petitioner takes alternative positions before the Board and a district court, that petitioner should, at a minimum, explain why alternative positions are warranted." *Revvo Techs.*, Paper 20 at 3-4 (quoting *Cambridge Mobile Telematics, Inc. v. Sfara, Inc.*, IPR2024-00952, Paper 12 at 8-9 (PTAB Dec. 13, 2024)). Building on this new precedential requirement in *Revvo Technologies*, the Director in *Tesla* vacated institution and terminated the proceeding because the petitioner had failed to notify the Board that it was arguing indefiniteness to the district court. *Tesla*, Paper 18 at 3-4. The Director explicitly rejected the petitioner's statement that "it cannot raise indefiniteness challenges in an *inter partes* review" as an insufficient explanation. *Id.* at 3. Rather, the Director noted that this statement amounts to an improper assertion that a petitioner "should be permitted to raise inconsistent invalidity challenges in the two forums." *Id.*

Here, all four Petitioners have taken exactly the same improper approach that the Director recently prohibited in *Revvo Technologies* and *Tesla*. As explained above in Section II.D, each of the Petitioners urged the Board to adopt

the plain and ordinary meaning for all claim terms while arguing to three different district courts that the “OFF state white appearance” limitations are indefinite and therefore *have no plain and ordinary meaning*. These are exactly the same circumstances that led the Director in *Tesla* to vacate institution and terminate the *inter partes* review. *Tesla*, Paper 18 at 3-4. Feit Electric respectfully submits that the Director should reach the same conclusion here.

IV. CONCLUSION

Petitioner LEDVANCE chose not to identify its Chinese parent, MLS, in its petition, and all four Petitioners chose not to notify or explain to the Board why they made inconsistent claim construction and invalidity arguments before the Board and the district courts. In light of the Director’s Memorandum and the Director’s recent *Revvo Technologies* and *Tesla* decisions, Feit Electric respectfully submits that both of these deficiencies in the Petitions independently merit vacating the Decisions to institute and terminating these consolidated *inter partes* review proceedings.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2025, a true and correct copy of the foregoing was served by electronic mail upon the following counsel of record for

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