
Subject: Re: IPR2024-01357: Additional Discovery
Date: Friday, March 20, 2026 at 12:22:45 PM Eastern Daylight Time
From: Andrew Brown
To: DaMario, Thomas
CC: McMahon, Charles, David Radulescu, Etai Lahav, Savant_IPR_Service, FeitElectricIPR
Attachments: image001.jpg, image033324.jpg

Tom, Petitioners' position is as follows:

Petitioner LEDVANCE LLC has already provided evidence regarding its corporate structure, consistent with *Corning Optical*, via the sworn testimony of its General Counsel. PO may challenge that testimony through routine cross-examination. But the availability of routine cross-examination under Rule 42.51(b)(1) does not imply the availability of broad additional discovery under Rule 42.51(b)(2). LEDVANCE offered to produce an entity organization chart to resolve this dispute, after which Feit provided its proposed document requests. PO's proposed document requests are not narrowly tailored. Moreover, they seek discovery from entities that are not parties to these proceedings. PO's request for additional discovery is an inappropriate discovery fishing expedition and should be denied under the *Garmin* factors.

212-713-0356
andy@radip.com

From: Andrew Brown <andy@radip.com>
Date: Tuesday, March 17, 2026 at 7:24 PM
To: DaMario, Thomas <TDaMario@beneschlaw.com>
Cc: McMahon, Charles <CMcMahon@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>, FeitElectricIPR <FeitElectricIPR@beneschlaw.com>
Subject: Re: IPR2024-01357: Additional Discovery

Tom, it has taken two weeks from PO's untimely discovery demand for PO to finally provide its proposed document requests. Petitioner LEDVANCE will take the time necessary and appropriate to consider PO's proposed requests and will provide its response in due course.

212-713-0356
andy@radip.com

From: DaMario, Thomas <TDaMario@beneschlaw.com>
Date: Tuesday, March 17, 2026 at 4:42 PM
To: Andrew Brown <andy@radip.com>
Cc: McMahon, Charles <CMcMahon@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>, FeitElectricIPR <FeitElectricIPR@beneschlaw.com>
Subject: RE: IPR2024-01357: Additional Discovery

Andy,

Attached are Patent Owner's proposed discovery requests to Ledvance LLC. We reserve the right to modify these requests but are providing them in the interest of moving this discussion forward.

Please let us know if this additional information changes your position on any of the topics that we intend to raise with the Board. We would appreciate your response by COB tomorrow. If we have not heard from you by tomorrow, we will proceed to email the Board in accordance with the draft email provided below.

Best,
Tom



Thomas DaMario
(he/him/his)
Partner
Benesch Friedlander Coplan & Aronoff LLP

t: 312.506.3436 | m: 847.636.7098
TDaMario@beneschlaw.com | [vCard](#) | [Bio](#) | www.beneschlaw.com
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: www.beneschlaw.com/confidentialitynotice

From: Andrew Brown <andy@radip.com>
Sent: Wednesday, March 11, 2026 3:29 PM
To: McMahon, Charles <CMcMahon@beneschlaw.com>; DaMario, Thomas <TDaMario@beneschlaw.com>; David Radulescu <david@radip.com>; Etai Lahav <etai@radip.com>; Savant_IPR_Service <Savant_IPR_Service@radip.com>
Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>
Subject: Re: IPR2024-01357: Additional Discovery

Charlie,

PO's proposed email to the Board references document requests, but PO has not provided any proposed document requests to Petitioners. Please provide PO's proposed document requests.

To the extent PO seeks confirmation of "LEDVANCE's corporate structure," Petitioner LEDVANCE would be willing to produce a current chart showing LEDVANCE's legal shareholding structure. Please let us know if that satisfies PO's request.

Should a call with the Board be necessary, we are also available March 16, 17, and 18.

Thanks,
Andy

212-713-0356
andy@radip.com

From: McMahon, Charles <CMcMahon@beneschlaw.com>
Date: Tuesday, March 10, 2026 at 7:30 PM
To: Andrew Brown <andy@radip.com>, DaMario, Thomas <TDaMario@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>

Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>

Subject: Re: IPR2024-01357: Additional Discovery

Andy,

Below is our proposed email to the Board. Please provide your position and availability.

—

Dear Honorable Board,

Patent Owner Feit Electric Company, Inc. requests a conference with the Board in order to request additional discovery and briefing relating to its pending Motion to Terminate based on Failure to Disclose an RPI (IPR2024-01357 Paper 57). On January 30, 2026, the Board granted Patent Owner leave to file its motion, which was filed on February 6, 2026. Petitioners filed an opposition on February 20, 2026 (Paper 58), which included a declaration from Andrew Martin (Paper 59), a corporate representative of Petitioner LEDVANCE LLC. As the Board noted during the recent oral argument, Patent Owner is entitled to cross examine Mr. Martin pursuant to Rule 42.51(b)(1)(ii). In connection with that cross examination, Patent Owner seeks permission to: (1) prior to the deposition, serve document requests on Petitioner LEDVANCE LLC relating to LEDVANCE's corporate structure (consistent with *Corning Optical Comm's RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015) (precedential)); and (2) submit a reply to Paper 58. After conferring with Petitioners, Patent Owner understands that they oppose the request.

[Petitioners' position]

The Parties are available on March 13, 16, 17, or 18.

Respectfully submitted,



Charles M. McMahon
Partner | Intellectual Property
Benesch Friedlander Coplan & Aronoff LLP

t: 872.302.6466 | m: 773.255.9925
CMcMahon@beneschlaw.com | [vCard](#) | [Bio](#) | www.beneschlaw.com
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

[Confidentiality Notice to Incorrect Addressee: www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

From: Andrew Brown <andy@radip.com>

Date: Monday, March 9, 2026 at 1:12 PM

To: McMahon, Charles <CMcMahon@beneschlaw.com>, DaMario, Thomas <TDaMario@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>

Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>

Subject: Re: IPR2024-01357: Additional Discovery

Charlie, Petitioners oppose for the reasons previously stated. Please provide a draft email to the Board so

that Petitioners can provide their position in opposition.

212-713-0356

andy@radip.com

From: McMahon, Charles <CMcMahon@beneschlaw.com>

Date: Monday, March 9, 2026 at 1:29 PM

To: Andrew Brown <andy@radip.com>, DaMario, Thomas <TDaMario@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>

Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>

Subject: Re: IPR2024-01357: Additional Discovery

Andy,

Patent Owner already identified what we seek — document discovery on LEDVANCE's corporate structure and the affiliation between LEDVANCE, LLC and its parent and affiliated entities. This is consistent with the type of discovery the Board has permitted in other cases involving questions about unnamed RPIs, including the *Corning Optical* case that the Director recently made precedential.

As for your second question, the reason is plainly apparent. LEDVANCE has provided a naked and self-serving declaration in opposition to Patent Owner's motion, and Patent Owner is entitled to cross-examine Mr. Martin about the substance of his testimony. To do so, we need access to documents that evidence the relevant facts underlying his testimony.

Again, please let us know your position and when you are available this week for a call with the Board.

Best regards,
Charlie



Charles M. McMahon
Partner | Intellectual Property
Benesch Friedlander Coplan & Aronoff LLP

t: 872.302.6466 | m: 773.255.9925
CMcMahon@beneschlaw.com | [vCard](#) | [Bio](#) | www.beneschlaw.com
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: www.beneschlaw.com/confidentialitynotice

From: Andrew Brown <andy@radip.com>

Date: Friday, March 6, 2026 at 11:37 AM

To: McMahon, Charles <CMcMahon@beneschlaw.com>, DaMario, Thomas <TDaMario@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>

Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>

Subject: Re: IPR2024-01357: Additional Discovery

Charlie,

It is in Petitioners' interest for this issue to be raised with the Board promptly, while the motion conference and the hearing are still fresh in their memories. Patent Owner mischaracterizes both, and its suggestion of broad discovery is inconsistent with Board practice.

Petitioner LEDVANCE asked two simple questions: (1) What does Patent Owner want? (2) Why is it necessary? If Patent Owner can't articulate what it wants, there is nothing for Petitioner LEDVANCE to agree to. Similarly, Petitioners cannot agree to supplemental briefing without explanation.

If Patent Owner can tell Petitioners what it wants and why what it wants is necessary, we are available for a call on Monday. Otherwise, if you provide a draft email to the Board today, we will get back to you with the aim of being available for a conference with the Board next week.

Thanks,
Andy

212-713-0356
andy@radip.com

From: McMahon, Charles <CMcMahon@beneschlaw.com>
Date: Thursday, March 5, 2026 at 9:45 AM
To: Andrew Brown <andy@radip.com>, DaMario, Thomas <TDaMario@beneschlaw.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>
Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>
Subject: Re: IPR2024-01357: Additional Discovery

Andy,

Petitioner did not alert Patent Owners about the declaration nor make Mr. Martin timely available for a deposition. Rather, his surprise declaration was provided less than a week before the oral argument. Moreover, Patent Owner provided its request for additional discovery in its Motion to Terminate the Proceeding Based on Failure to Disclose an RPI (see Paper 57 at 10). We renewed this request during the Oral Argument, after which the Board agreed such discovery was permissible as a matter of course and further invited supplementation upon completion. We laid out our requested relief in our original email. We understand from your response below that Petitioners oppose Patent Owner's requested relief.

This is not an opportunity to delay and ignore Petitioners' obligations to meet and confer. Again, please let us know when you are available this week to meet and confer on these issues. Please be prepared to discuss your availability for a conference with the Board. If we do not receive a window to meet and confer, we will let the Board know Petitioners refused to timely meet and confer.

Best regards,
Charlie

Charles M. McMahon
Partner | Intellectual Property
Benesch Friedlander Coplan & Aronoff LLP

From: Andrew Brown <andy@radip.com>
Sent: Tuesday, March 3, 2026 1:40:58 PM
To: DaMario, Thomas <TDaMario@beneschlaw.com>; David Radulescu <david@radip.com>; Etai Lahav <etai@radip.com>; Savant_IPR_Service <Savant_IPR_Service@radip.com>
Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>
Subject: Re: IPR2024-01357: Additional Discovery

Tom,

The Board did not grant Feit leave to cross-examine Mr. Martin. The Board affirmed that cross-examination is routine discovery under 37 CFR s. 42.51(b)(1)(ii). Nothing about the Board's confirmation of routine cross-examination rights suggests that additional discovery or supplemental briefing would be appropriate. Feit did not request additional discovery or supplemental briefing when it sought and received authorization for its motion to terminate.

While cross-examination is routine discovery, document discovery would be additional discovery under s. 42.51(b)(2). Authorization of additional discovery requires that the discovery is "necessary in the interest of justice." 35 U.S.C. s. 316(a)(5). The relevant factors are set out in *Garmin v. Cuozzo*, IPR2012-00001, Paper 26 (Mar. 5, 2013). To the extent that Feit seeks additional discovery, please specifically identify the documents Feit seeks to have produced and provide Feit's position as to how such production is necessary under *Cuozzo*.

Feit's request for supplemental briefing also does not follow from the right to routine cross-examination. To the extent Feit wishes to address testimony obtained through routine cross-examination, the traditional vehicle would be a motion for observations on cross-examination. *See* 77 Fed. Reg. 48767-68 (Aug. 14, 2012). So to the extent Feit seeks supplemental briefing, please provide Feit's position as to why observations on cross-examination are insufficient.

Once we have Feit's positions, we can respond to Feit's requests.

Thanks,
Andy

212-713-0356
andy@radip.com

From: DaMario, Thomas <TDaMario@beneschlaw.com>
Date: Friday, February 27, 2026 at 12:45 PM
To: Andrew Brown <andy@radip.com>, David Radulescu <david@radip.com>, Etai Lahav <etai@radip.com>, Savant_IPR_Service <Savant_IPR_Service@radip.com>
Cc: FeitElectricIPR <FeitElectricIPR@beneschlaw.com>

Subject: IPR2024-01357: Additional Discovery

Counsel,

During the hearing yesterday, the Board granted Feit Electric leave to depose LEDVANCE's corporate representative on topics related to Feit Electric's motion to terminate based on failure to disclose an RPI. In order to proceed with the deposition, we intend to seek document discovery on LEDVANCE's corporate structure and the affiliation between LEDVANCE, LLC and its parent and affiliated entities. Feit Electric also intends to request leave to file supplemental briefing on its motion to terminate upon completion of document discovery and the deposition.

Please let us know your position on these issues and a time next week when you are available to meet and confer.

Best,
Tom



Thomas DaMario
(he/him/his)
Partner | Intellectual Property
Benesch Friedlander Coplan & Aronoff LLP
t: 312.506.3436 | TDaMario@beneschlaw.com
www.beneschlaw.com
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: www.beneschlaw.com/confidentialitynotice
e