

Filed on behalf of Western Digital Technologies, Inc.

By: Michelle E. Armond

Douglas R. Wilson

Joseph Li

Monica Arnold

Yue Han

ARMOND WILSON LLP

4685 MacArthur Court, Suite 390

Newport Beach, CA 92660

Telephone: (949) 932-0778

Email: ipr@armondwilson.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WESTERN DIGITAL TECHNOLOGIES, INC.,
Petitioner,

v.

GODO KAISHA IP BRIDGE 1,
Patent Owner.

Case No. IPR2024-01494
U.S. Patent No. 11,968,909

AUTHORIZED RESPONSE TO DIRECTOR REVIEW REQUEST

IP Bridge’s follow-on Director Review requests in this IPR2024-01494 and -1493 are watered-down versions of its insufficient request in IPR2024-01447 and should be denied for the same reasons.

IP Bridge continues to deliberately ignore both the Director’s and Board’s guidance and rules. In March, the Director and the Board issued extensive guidance on IPR discretionary denials. 3/24/2025 Board Memo; 3/26/2025 Director Memo. IP Bridge flatly ignored them, making no effort to show discretionary denial is warranted under the standards the Director set forth. *See* Req. (Paper 12) at 5–8. Nor has IP Bridge bothered to show an error, abuse of discretion, or important legal or policy issue needed for initiating Director Review. Director Review Process §2.B, *available at* <https://www.uspto.gov/patents/ptab/decisions/director-review-process> (March 18, 2025 update). The Request provides no basis for canceling the ongoing IPR trials, shown below:

	IPR	U.S. Patent	Pet. Filing Date	Institution Status	
1	IPR2024-01384	7,884,403	Aug. 30, 2024	Denied (8 claims)	20 claims
2	IPR2024-01385	8,319,263	Aug. 30, 2024	Denied (4 claims)	
3	IPR2024-01386	9,608,198	Aug. 30, 2024	Denied (6 claims)	
4	IPR2024-01449	9,123,463	Sept. 16, 2024	Denied (2 claims)	
5	IPR2024-01447	8,405,134	Sept. 16, 2024	Granted (4 claims)	61 claims
6	IPR2024-01448	11,737,372	Sept. 16, 2024	All 8 claims disclaimed	
7	IPR2024-01493	10,680,167	Sept. 27, 2024	Granted (15 claims)	
8	IPR2024-01494	11,968,909	Sept. 27, 2024	Granted (14 claims) 6 claims disclaimed	
9	IPR2025-00701	10,367,138	March 6, 2025	<i>pending</i> (14 claims)	

Despite previously predicting that the Board would only institute a single IPR “challenging *one* of the nine patents asserted in the parallel litigation,” IPR2024-01447, Paper 12 at 5–6 (emphasis added), IP Bridge’s Request concedes now that “*four* patents... would be subject to IPR trials,” Req. at 6 (emphasis added). Because the Board has instituted three trials in IPR2024-01447, -1493, and -1494, and Western Digital won the fourth when IP Bridge statutorily disclaimed all claims in IPR2024-01448, the IPRs have already identified significant questions about the patentability of IP Bridge’s asserted patent family.

IP Bridge inaccurately contends that “*at least half the dispute must be resolved in district court.*” Req. at 6 (bold in original). As shown in the chart above, *more than 75% of this dispute is currently being addressed at the Board*, with 61 patent claims either already disclaimed or with trials instituted or pending, and the Board denying institution for only 20 challenged patent claims to date.

The Request’s citation to *Stellar* still does not dictate vacatur here. Req. at 5 (citing *Motorola v. Stellar*, IPR2024-01205, Paper 19 (P.T.A.B. Mar. 28, 2025)). Unlike *Stellar*, the panel here did not err in its *Fintiv* analysis because the POPR never addressed *Fintiv* or raised *any* argument for discretionary denial. See Paper 7 at 17–40. Indeed, the parties stipulated to stay the parallel district court litigation at the pleading stage. EX1085. The instant case plainly lacks the investment of “substantial time and resources” present in *Stellar*, where claim construction and

expert reports were complete and the case was approaching trial. *Stellar*, IPR2024-01205, Paper 19 at 3. IP Bridge’s additional citations are also not controlling, with Judge Newman’s *SAS* dissent addressing the Board’s discontinued partial institution practice and *Kroy* not addressing institution at all. Req. at 5–8.

Again, IP Bridge makes no showing that the Board erred in any of the Institution Decisions. *See* Req. at 5–8. The remainder of the Request is little more than a bare accusation of gamesmanship based on the filing date of the ’138 Patent IPR. Req. at 3–4. The ’138 IPR is in some ways unique. IP Bridge omits that it asserted the ’138 Patent by amended complaint, and Petitioner filed a challenge based on a different lead prior art reference to Parkin more than four months before the one-year deadline. EX1067. Recently, the Examiner withdrew IP Bridge’s pending continuation from issuance, recognizing that two key limitations he had previously relied on to allow claims in this nine-patent family were taught by Parkin and other prior art. *See* IPR2025-00701, Paper 1 at 1, 4–5. In response, IP Bridge expressly abandoned both of its remaining continuations. *Id.* Less than two months later and citing this new file history evidence, Petitioner submitted the ’138 IPR. *Id.*

IP Bridge ignores the Director’s guidance, disregards the rules for Director Review, and again provides no reason for vacating the Board’s institution decision ordering trial. Petitioner respectfully submits the Request also should be denied.

Western Digital v. Godo Kaisha IP Bridge
U.S. Patent No. 11,968,909 – IPR2024-01494

ARMOND WILSON LLP

Dated: May 13, 2025

By: /Michelle E. Armond/

Michelle E. Armond (Reg. No. 53,954)

Douglas R. Wilson (Reg. No. 54,542)

Joseph Li (Reg. No. 74,998)

Monica Arnold (Reg. No. 77,262)

Yue Han (Reg. No. 80,950)

Attorneys for Western Digital Technologies, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a true copy of the foregoing **AUTHORIZED RESPONSE TO DIRECTOR REVIEW REQUEST** is being served electronically on May 13, 2025 to the following counsel for Patent Owner to the following email addresses:

Gerald B. Hrycyszyn
GHrycyszyn-PTAB@wolfgreenfield.com

Jie Xiang
JXiang-PTAB@wolfgreenfield.com

Thomas A. Franklin
TFranklin-PTAB@wolfgreenfield.com

Richard F. Giunta
RGiunta-PTAB@wolfgreenfield.com

Adam R. Wichman
AWichman-PTAB@wolfgreenfield.com

Scott A. McKeown
SMcKeown-PTAB@wolfgreenfield.com

ARMOND WILSON LLP

Dated: May 13, 2025

By: /Michelle E. Armond/
Michelle E. Armond (Reg. No. 53,954)
Douglas R. Wilson (Reg. No. 54,542)
Joseph Li (Reg. No. 74,998)
Monica Arnold (Reg. No. 77,262)
Yue Han (Reg. No. 80,950)
Attorneys for Western Digital Technologies, Inc..