

From: Trials
To: Giunta, Richard F.; Trials; Douglas Wilson; Joseph Li; Monica Arnold; Amy Han; Western Digital Litigation; Michelle Armond; PTAB Gerald Hrycyszyn; PTAB Jie Xiang; PTAB Thomas Franklin; PTAB Adam Wichman; PTAB Scott McKeown
Subject: RE: Western Digital v. IP Bridge, IPR2024-01494
Date: Monday, October 27, 2025 1:21:58 PM
Attachments: image002.png
image003.png

Counsel,

Patent Owner is authorized to file a motion to strike, limited to 10 pages, by November 4, 2025. Patent Owner should clearly set forth in the motion the specific portions of the Reply and any exhibits that it seeks to strike. Petitioner is authorized to file an opposition, limited to 10 pages, by November 13, 2025. Patent Owner is authorized to file a reply, limited to 5 pages, by November 21, 2025.

The parties' joint request for authorization for a limited sur-reply declaration, one-day deposition, and observations on cross-examination is granted, under the terms set forth in the parties' email below.

Regards,

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



From: Giunta, Richard F. <Rich.Giunta@WolfGreenfield.com>
Sent: Thursday, October 23, 2025 6:02 PM
To: Trials <Trials@USPTO.GOV>; Douglas Wilson <doug.wilson@armondwilson.com>; Joseph Li <Joseph.Li@armondwilson.com>; Monica Arnold <Monica.arnold@armondwilson.com>; Amy Han <amy.han@armondwilson.com>; Western Digital Litigation <wd-litigation@armondwilson.com>; Michelle Armond <michelle.armond@armondwilson.com>; PTAB Gerald Hrycyszyn <GHrycyszyn-PTAB@WolfGreenfield.com>; PTAB Jie Xiang <JXiang-PTAB@WolfGreenfield.com>; PTAB Thomas Franklin <TFranklin-PTAB@WolfGreenfield.com>; PTAB Adam Wichman <AWichman-PTAB@WolfGreenfield.com>; PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>
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Thank you Mr. Kellogg.

Unless the Board objects, Patent Owner plans to have a court reporter on line for the hearing and will, of course, file the transcript as soon as it is available.

 **Richard F. Giunta**
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From: Trials <Trials@USPTO.GOV>
Sent: Thursday, October 23, 2025 12:43 PM
To: Douglas Wilson <doug.wilson@armondwilson.com>; Joseph Li <Joseph.Li@armondwilson.com>; Monica Arnold <Monica.arnold@armondwilson.com>; Amy Han <amy.han@armondwilson.com>; Western Digital Litigation <wd-litigation@armondwilson.com>; Michelle Armond <michelle.armond@armondwilson.com>; PTAB Gerald Hrycyszyn <GHrycyszyn-PTAB@WolfGreenfield.com>; PTAB Jie Xiang <

PTAB@WolfGreenfield.com>; PTAB Thomas Franklin <TFranklin-PTAB@WolfGreenfield.com>; PTAB Adam Wichman <AWichman-PTAB@WolfGreenfield.com>; PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>; Giunta, Richard F. <Rich.Giunta@WolfGreenfield.com>
Cc: Trials <Trials@USPTO.GOV>
Subject: RE: Western Digital v. IP Bridge, IPR2024-01494

Counsel,

A conference call has been scheduled for 4:00 PM ET on Friday, October 24. The dial in number is 540-566-5633 and the passcode is 553896001#

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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From: Giunta, Richard F. <Rich.Giunta@WolfGreenfield.com>
Sent: Tuesday, October 21, 2025 2:48 PM
To: Trials <Trials@USPTO.GOV>
Cc: Douglas Wilson <doug.wilson@armondwilson.com>; Joseph Li <Joseph.Li@armondwilson.com>; Monica Arnold <Monica.arnold@armondwilson.com>; Amy Han <amy.han@armondwilson.com>; Western Digital Litigation <wd-litigation@armondwilson.com>; Michelle Armond <michelle.armond@armondwilson.com>; PTAB Gerald Hryczyszyn <GHryczyszyn-PTAB@WolfGreenfield.com>; PTAB Jie Xiang <JXiang-PTAB@WolfGreenfield.com>; PTAB Thomas Franklin <TFranklin-PTAB@WolfGreenfield.com>; PTAB Adam Wichman <AWichman-PTAB@WolfGreenfield.com>; PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>
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Dear Board,

Patent Owner seeks authorization for two filings responsive to Petitioner's recently filed Reply and its accompanying expert declaration by Dr. Bokor. Petitioner opposes one request and consents to and joins the other.

Motion to Strike

Patent Owner seeks authorization to file a motion to strike Petitioner's reply and its accompanying Reply Declaration from Dr. Bokor because they advance new arguments, relying on new evidence, for why a POSA allegedly would have sought to lower the barrier height in the primary references (Bowen and Nagahama) used in the grounds. On the call, Patent Owner is prepared to demonstrate that good cause exists for a motion to strike because the Reply's assertions that Butler provides the motivation to lower the barrier height in Bowen and Nagahama, and does so because Butler teaches that this would "change TMR" in an "uncertain" way which is "legally sufficient motivation" (see e.g., Reply, 7-8 and 14-16), are new arguments.

Petitioner indicates that it opposes "because the '909 Reply and expert declaration respond to the POR and Dr. Ross' opinions about motivation to combine."

Sur-Reply Expert Declaration

The parties agree, and jointly seek authorization for, the following:

- Patent Owner may file a declaration by Dr. Ross accompanying its November 19, 2025 sur-reply responding to paragraphs 7-12 in Dr. Bokor's Reply Declaration (EX1105), EX1106, and Butler's (EX1044) Figs. 3-4 and pages 2-3;
- Patent Owner will make Dr. Ross available for a one-day cross-examination deposition by December 12, 2025; and
- Petitioner may submit "observations on cross-examination" by December 22, 2025 pursuant to the Board's 2012 trial practice guide (https://www.uspto.gov/sites/default/files/ip/boards/bpai/trial_practice_guide_74_fr_48756_081412.pdf).

The parties are available for a call with the Board on Wednesday 10/21 between 1:00-3:30pm ET or will submit their additional availability as needed.

Respectfully submitted,

Richard F. Giunta



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From: Giunta, Richard F.

Sent: Wednesday, September 24, 2025 1:52 PM

To: 'Trials' <trials@uspto.gov>

Cc: 'Douglas Wilson' <doug.wilson@armondwilson.com>; 'Joseph Li' <Joseph.Li@armondwilson.com>; 'Monica Arnold' <Monica.arnold@armondwilson.com>; 'Amy Han' <amy.han@armondwilson.com>; 'Western Digital Litigation' <wd-litigation@armondwilson.com>; 'Michelle Armond' <michelle.armond@armondwilson.com>; PTAB Gerald Hryczyszyn <GHryczyszyn-PTAB@WolfGreenfield.com>; PTAB Jie Xiang <JXiang-PTAB@WolfGreenfield.com>; PTAB Thomas Franklin <TFranklin-PTAB@WolfGreenfield.com>; PTAB Adam Wichman <AWichman-PTAB@WolfGreenfield.com>; PTAB Scott McKeown <SMcKeown-PTAB@WolfGreenfield.com>

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Dear Board,

Pursuant to the General Order entered on September 20, 2025, Patent Owner believes that the Board's Decisions "Denying Institution of *Inter Partes* Review 35 U.S.C. § 314" (Paper 10) in IPR2024-01384 and IPR2024-01385 are responsive to the General Order for IPR2024-01494.

Respectfully submitted jointly by the parties,



Richard F. Giunta

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