

Filed: February 6, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUNERGY USA INC., RUNERGY ALABAMA INC., MUNDRA SOLAR PV
LTD., ADANI SOLAR USA INC., AND CANADIAN SOLAR (USA) INC.

Petitioners,¹

v.

TRINA SOLAR CO., LTD.

Patent Owner.

Case No. IPR2025-00006

Patent No. 10,230,009

**JOINT MOTION TO TERMINATE PETITIONERS MUNDRA SOLAR PV
LTD. AND ADANI SOLAR USA INC. AS PARTIES IN THE
CONSOLIDATED PROCEEDING**

¹Mundra Solar PV Ltd. and Adani Solar USA Inc. were joined as petitioners in this proceeding based on a petition and motion for joinder filed in IPR2025-00187, which was granted. Canadian Solar (USA) Inc. was joined as a petitioner in this proceeding based on a petition and motion for joinder filed in IPR2025-00917, which was granted.

TABLE OF EXHIBITS

Exhibit #	Reference Name
1001	U.S. Patent No. 10,230,009 (“009 Patent”)
1002	File History of U.S. Patent No. 10,230,009
1003	Declaration of Dr. Sanjay Banerjee
1004	Curriculum Vitae of Dr. Sanjay Banerjee
1005	File History of U.S. Patent No. 9,722,104
1006	File History of U.S. Patent No. 10,014,419
1007	Korean Patent App. No. 10-2014-0168624 with certified translation
1008	Korean Patent App. No. 10-2015-0122846 with certified translation
1009	U.S. Patent App. Publication No. 2013/0056051 to Y. Jin, <i>et al.</i> (“Jin”)
1010	F.A. Lindholm, <i>et al.</i> , Heavily Doped Polysilicon-Contact Solar Cells, IEE Electron Device Letters, Vol. EDL-6, No. 7, (IEEE 1985) (“Lindholm”)
1011	Y.H. Kwark, <i>et al.</i> , N-Type SIPOS and Poly-Silicon Emitters, Solid-State Electronics, Vol. 30, No. 11, 1121-1 125 (1987) (“Kwark”)
1012	F. Feldmann, <i>et al.</i> , “Passivated rear contacts for high-efficiency n-type Si solar cells providing high interface passivation quality and excellent characteristics,” Solar Energy Materials & Solar Cells 120 (2014) 270-274 (2013 Elsevier B.V.) (“Feldmann”)
1013	U.S. Patent App. Publication No. 2014/0299187 to J. Chang, <i>et al.</i> (“Chang”)
1014	Japanese Patent App. Publication No. JP 2010-186862 to T. Watabe, <i>et al.</i> (“Watabe”) with certified translation
1015	U.S. Patent No. 8,647,914 to K. Seo, <i>et al.</i> (“Seo”)
1016	Not used

Exhibit #	Reference Name
1017	Not used
1018	Not used
1019	Not used
1020	June 21, 2022 USPTO Director's Memo
1021	M. Quirk, <i>et al.</i> , Semiconductor Manufacturing Technology (Prentice-Hall Inc. 2001)
1022	A. Luque, <i>et al.</i> , Handbook of Photovoltaic Science and Engineering (John Wiley & Sons Ltd. 2003)
1023	Trina Solar n-type TOPCon Advanced technology steps onto the world stage, with efficiency reaching 26% in mass production and 700W+ in module power, <i>available at</i> https://www.trinasolar.com/us/trina-solar-n-type-vertex-to-reach-700gw (last visited August 19, 2024)
1024	Y. H. Kwark, <i>et al.</i> SIPOS Heterojunction contacts to silicon, 1984 International Electron Devices Meeting (1984): 742-745 (“Kwark II”)
1025	SY Lien, <i>et al.</i> , Tri-layer antireflection coatings (SiO ₂ /SiO ₂ —TiO ₂ /TiO ₂) for silicon solar cells using a sol-gel technique, Solar Energy Materials & Solar Cells 90, 2710-2719 (2006)
1026	D. Kray, <i>et al.</i> , Study on the edge isolation of industrial silicon solar cells with waterjet-guided laser, Solar Energy Materials & Solar Cells, 91, 1638–1644 (2007)
1027	Merriam-Webster's Collegiate Dictionary, 10th Ed. (Merriam-Webster, Inc. 1998) (definition of “periphery”)
1028	S. Duttagupta, <i>et al.</i> , Progress in Surface Passivation of Heavily Doped n-Type and p-Type Silicon by Plasma-Deposited AlO _x /SiN _x Dielectric Stacks, IEEE Journal of Photovoltaics, Vol. 3, No. 4 (October 2013)
1029	Oxford College Dictionary, 2nd Ed. (Oxford University Press, Inc. 2002)

Exhibit #	Reference Name
1030	B. Streetman and S. Banerjee, Solid State Electronic Devices, 6th Ed. (Prentice-Hall Inc. 2006)
1031	M. Scherff, Novel method for preparation of interdigitated back contacted a-Si:H/c-Si heterojunction solar cells, 26th European Photovoltaic Solar Energy Conference and Exhibition (2011)
1032	W. Decker, <i>et al.</i> , “Novel low pressure sputtering source and improved vacuum deposition of small patterned features using precision shadow masks,” 59th Annual Technical Conference Proceedings (Society of Vacuum Coaters 2016)
1033	H. Okuyama, <i>et al.</i> , Position-selective growth of carbon nanotubes on Ni catalysts/Mo underlayers by thermal chemical vapor deposition, J. Mater. Res., Vol. 21, No. 11 (Materials Research Society 2006)
1034	T. Saga, Advances in crystalline silicon solar cell technology for industrial mass production, NPG Asia Materials, Volume 2, 96–102 (2010)
1035	Declaration of James Mullins
1036	U.S. Patent Pub. No. 2012/0003781 to Yun, <i>et al.</i> (“Yun”)
1037	Supplemental Declaration Of Sanjay Banerjee Regarding U.S. Patent No. 9,722,104
1038	U.S. Patent No. 9,153,728 to A. Rohatgi, et al.
1039	E. Yablonovitch, et al., A 720 mV open circuit voltage SiO _x :cSi:SiO _x double heterostructure solar cell, Applied Physics Letters 47, 1211 (1985)
1040	M. Stöhr, et al., PECVD Shadow Mask Deposition of Amorphous Silicon – A Shortcut to Local Passivating Contacts
1041	U.S. Patent No. 4,927,770 to R. Swanson, et al.
1042	A. Boogaard, Negative Charge in Plasma Oxidized SiO ₂ Layers, ECS Trans. 35 (4) 259-272 (2011)

Exhibit #	Reference Name
1043	S. Ghandhi, VLSI Fabrication Principles – Silicon and Gallium Arsenide, John Wiley & Sons, Inc. (1994)
1044	B.K. Ip., et al, Charges and Defects In SiO ₂ Films Deposited By Plasma-Enhanced Chemical Vapor Deposition at Low Temperatures, Solid-State Electronics Vol. 34, No. 2, pp. 123-129 (1991)
1045	Deposition Transcript of Martin Peckerar, Ph.D. (Aug. 1, 2025)
1046	J. Benick, et al., High efficiency n-type Si solar cells on Al ₂ O ₃ -passivated boron emitters, Applied Physics Letters 92, 253504 (2008)
1047	Supplemental Declaration of James L. Mullins, Ph.D.
1048	Petitioner’s Demonstrative Exhibit
1049	Peckerar Ex. 2 – U.S. Pat. No. 9,772,104 (TrinaSolar_ITC-00000001) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1050	Peckerar Ex. 3 – U.S. Pat. No. 10,230,009 (TrinaSolar_ITC-00000042) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1051	Peckerar Ex. 4 – Korean Pat. App. No. 102014/0168624 (PRIORART_00023079) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1052	Peckerar Ex. 5 – U.S. Pat. No. 5,218,211 (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1053	Peckerar Ex. 6 – “Fig. 3 Demonstrative” (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1054	Peckerar Ex. 7 – “Fig. 3 Demonstrative” (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1055	Peckerar Ex. 8 – “Fig. 3 Demonstrative” (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1056	Peckerar Ex. 9 – “Fig. 3 Demonstrative” (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]

Exhibit #	Reference Name
1057	Peckerar Ex. 10 – U.S. Pat. No. 10,014,419 (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1058	Peckerar Ex. 11 – U.S. Pat. Appl. Pub. No. 2014/0299187 (PRIORART_00000668) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1059	Peckerar Ex. 12 – Decision Granting Institution of Inter Partes Review, IPR2025-00006, Paper 11 (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1060	Peckerar Ex. 13 – Decision Granting Institution of Inter Partes Review, IPR2025-00007, Paper 11 (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1061	Peckerar Ex. 14 – U.S. Pat. Appl. Pub. No. 2013/0056051 (PRIORART_00007755) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1062	Peckerar Ex. 15 – U.S. Pat. Appl. Pub. No. 2009/0205712 (PRIORART_00006904) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1063	Peckerar Ex. 16 – “Passivated rear contacts for high-efficiency n-type Si Solar cells providing high interface passivation quality and excellent transport characteristics” (PRIORART_00021294) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1064	Peckerar Ex. 17 – “Laser Edge Isolation for High-Efficiency Crystalline Solar Cells” (PRIORART000_13242) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]
1065	Peckerar Ex. 18 – “High Throughput Laser Isolation of Crystalline Silicon Solar Cells” (PRIORART_00006919) (8/1/25 Peckerar Dep.) [NOT FILED - SERVICE ONLY]

Exhibit #	Reference Name
1066 [NEW]	[CONFIDENTIAL] Trina Agreement
1067 [NEW]	[CONFIDENTIAL] Evervolt Agreement
1068 [NEW]	The Private Parties' Renewed Joint Motion to Terminate the Investigation on the Basis of Withdrawal of Complaint, Inv. No. 337-TA-1422, January 9, 2026 (Public Version)
1069 [NEW]	ITC Docket, Inv. No. 337-TA-1422, Docket Entry (excerpt)

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, Mundra Solar PV Ltd. and Adani Solar USA Inc. (collectively “Petitioners”), Trina Solar Co., Ltd. (hereinafter, “Trina,” former Patent Owner and current real party-in-interest), and Evervolt Green Energy Holding Pte Ltd. (hereinafter, “Evervolt,” current Patent Owner and additional real party-in-interest), jointly request termination of Petitioners as parties in consolidated *inter partes* review (IPR) of U.S. Patent No. 10,230,009 (“’009 Patent” or “Challenged Patent”), Case No. IPR2025-00006.

Petitioners, Trina, and Evervolt (collectively, the “Parties”) have resolved their disputes with respect to the Challenged Patent and have reached agreement to terminate Petitioners as parties in this IPR; the Parties do not anticipate any further litigation concerning the Challenged Patent. In accordance with 37 C.F.R. § 42.20(b), the Parties received authorization from the Board to file this motion on February 4, 2026.² See Paper 33.

As required under 35 U.S.C. § 317(b) and 37 C.F.R. §§ 42.74(b), a true copy of the confidential agreement that resolves the disputes between Petitioners and Trina Solar Co., Ltd. in this *inter partes* review relating to the Challenged Patent is filed herewith as a confidential exhibit. Ex. 1066 (“Trina Agreement”). There are no other collateral agreements, whether written or oral, between the Petitioners and

² On January 29, 2026, Petitioners requested authorization to file this motion.

Trina made in connection with, or in contemplation of, the termination sought per 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b).

In addition, a true copy of the confidential agreement by Evervolt³ that binds Evervolt to the confidential agreement between Petitioners and Trina Solar Co., Ltd. is filed herewith as a confidential exhibit. Ex. 1067 (“Evervolt Agreement”). To the extent required by 35 U.S.C. § 317(b) and/or 37 C.F.R. § 42.74(b), Petitioners represent that there are no other collateral agreements, whether written or oral, between Petitioners and Evervolt made in connection with, or in contemplation of, the termination sought.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioners are concurrently filing a Joint Request that Agreements be Treated as Business Confidential Information and be Kept Separate, which asks the Board to treat the Trina Agreement and Evervolt Agreement as business confidential information, and to keep them separate from the files of this proceeding and the files of the Challenged Patent.

³ As stated by the updated mandatory notices (*see* Paper 31) for Trina and Evervolt, “[t]he ’009 patent has been assigned by current real party-in-interest Trina Solar Co., Ltd. to” Evervolt. *See* Paper 31 at 2.

Termination of Petitioners as a party in the consolidated proceeding is proper for at least the following reasons:

First, the Parties have resolved all disputes, legal actions, and proceedings presently pending between the Parties, and are jointly requesting termination of Petitioners as parties. Both Congress and the federal courts have expressed a strong interest in encouraging parties to resolve litigation disputes. *See, e.g.*, 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012); *Delta Air Lines, Inc. v. August*, 450 U.S. 346, 352 (1981); *Bergh v. Dept. of Transp.*, 794 F.2d 1575, 1577 (Fed. Cir. 1986), *cert. denied*, 479 U.S. 950 (1986); *Cheyenne River Sioux Tribe v. U.S.*, 806 F.2d 1046, 1050 (Fed. Cir. 1986). Here, no public interest or other factors weigh against termination of Petitioners as parties to this proceeding.

Second, the Board has not yet “decided the merits of the proceeding before the request for termination is filed.” 35 U.S.C. § 317(a); 77 Fed. Reg. 48768 (“The Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.”). Petitioners filed its individual IPR petition, IPR2025-00187, on November 22, 2024. The Board granted institution of IPR2025-00187 and granted Petitioners’ Motion for Joinder with this IPR2025-00006, on May 6, 2025. *See* Paper 13. The Board ordered that “Petitioner’s role in IPR2025-00006 is limited” to an

“understudy” role and would “not actively participate in IPR2025-00006 unless the current petitioner ceases to participate.” Paper 13 at 12-13.

This Board instituted trial for this IPR2025-00006 on April 21, 2025, but has not issued a final written decision. No motions are outstanding in this proceeding. No other party’s rights will be prejudiced by the termination of Petitioners as parties in IPR2025-00006. This supports the propriety of terminating of Petitioners as a party to this proceeding under 35 U.S.C. § 317. 77 Fed. Reg. 48680, 48684-87 (Aug. 14, 2012). 35 U.S.C. 317(a) further provides “An inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.”).

Third, Trina and Petitioners were parties in the related United States International Trade Commission proceeding, *Certain TOPCon Solar Cells, Modules, Panels, Components Thereof, and Products Containing Same*, Inv. No. 337-TA-1422, 1425 (filed Sept. 30, 2024) (“*Inv. 1422*”) in which Trina asserted the Challenged Patent. Trina and Petitioners jointly filed a motion to terminate the investigation on the basis of Trina’s withdrawal of the ITC complaint, and the ALJ granted the motion and terminated the investigation on January 15, 2026. Exs. 1068-1069.

In particular, in *Inv. 1422*, Complainants, including Trina, and Respondents, including Petitioners, filed a joint motion on January 9, 2026, seeking to terminate the investigation on the basis of Trina's withdrawal of the ITC complaint and to stay the investigation pending termination. *See* Ex. 1068 at 1-4. Trina and Petitioners identified and provided "a December 29, 2025 Letter of Intent on Strategic Cooperation, including provisions as to resolving all disputes, legal actions, and proceedings presently pending between the Private Parties in the United States," which is Exhibit 1049 filed in this Motion. *See* Ex. 1068 at 1. The ALJ granted the motion on January 15, 2026. *See* Ex. 1069.

Fourth, Evervolt has agreed to be bound to the Trina Agreement as applied to Petitioners, thereby resolving all disputes between the Parties. Ex. 1067.

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing **JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW AND PUBLIC EXHIBITS** is being served by electronic mail on counsel of record listed below, pursuant to its Mandatory Notices:

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The undersigned further certifies that a true and correct copy of the foregoing **JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW AND ALL EXHIBITS** is being served by electronic mail on counsel of record listed below, pursuant to its Mandatory Notices

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