

From: [Michael Matulewicz-Crowley](#)
To: [Harper Batts](#); [Director Discretionary Decision](#); [Trials](#)
Cc: [RJ XtreamEdge-AMD](#); [Chris Ponder](#); [Jeffrey Liang](#); [LegalTM-AMD-Concurrent](#); [Christine E. Lehman](#); [Zach Jacobs](#)
Subject: RE: IPR2025-00223; IPR2025-00478; IPR2025-00486: Request for authorization to file Motion to Vacate the Institution Decision and Terminate the Proceeding
Date: Wednesday, March 11, 2026 9:08:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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Dear Honorable Director and Board,

The new stipulation that Petitioners unilaterally filed confirms, rather than resolves, Patent Owners' concerns. Patent Owners encourage Petitioners to file their new modified stipulation as an exhibit in these proceedings (as they did their original *Sotera* stipulation) so the Director and Board can evaluate this post-institution development. Patent Owners are prepared to address these issues, including Petitioners' new stipulation, in detail should the Director and Board authorize the requested Motion to Vacate and Terminate.

Respectfully,
Michael Matulewicz-Crowley
REICHMAN JORGENSEN LEHMAN & FELDBERG LLP
650 Fifth Avenue, Suite 2320
New York, NY 10019
(332) 208-7170

From: Harper Batts <hbatts@sheppard.com>
Sent: Wednesday, March 11, 2026 1:01 AM
To: Michael Matulewicz-Crowley <mmatulewicz-crowley@reichmanjorgensen.com>; [Director Discretionary Decision](#) <director_discretionary_decision@uspto.gov>; [Trials](#) <trials@uspto.gov>
Cc: [RJ XtreamEdge-AMD](#) <RJ_XtreamEdge-AMD@reichmanjorgensen.com>; [Chris Ponder](#) <cponder@sheppard.com>; [Jeffrey Liang](#) <jliang@sheppard.com>; [LegalTM-AMD-Concurrent](#) <LegalTM-AMD-Concurrent@sheppard.com>; [Christine E. Lehman](#) <clehman@reichmanjorgensen.com>; [Zach Jacobs](#) <zjacobs@reichmanjorgensen.com>
Subject: RE: IPR2025-00223; IPR2025-00478; IPR2025-00486: Request for authorization to file Motion to Vacate the Institution Decision and Terminate the Proceeding

Dear Honorable Director and Board,

We disagree with Patent Owners' arguments but will not further the disagreements on this e-mail thread.

IPR2025-00223
Exhibit 3102

We have offered to meet and confer with Patent Owners later this week about their complaints and have filed another stipulation in the district court today that we believe moots their complaints. Had Patent Owners met and conferred as required by the Scheduling Orders and the Board's rules, they would have learned that Petitioners were already preparing a response to resolve the dispute. This matter was raised prematurely and underscores the need to meet and confer before bringing disputes to the Director and the Board.

Respectfully Submitted,

Harper Batts
Lead Counsel for Petitioners

Harper Batts

Partner



1540 El Camino Real, Suite 120
Menlo Park, CA 94025-4111
Direct +1.650.815.2673 | Office +1.650.815.2600
hbatts@sheppard.com | [Bio](#) | [LinkedIn](#) | sheppard.com

From: Michael Matulewicz-Crowley <mmatulewicz-crowley@reichmanjorgensen.com>
Sent: Monday, March 9, 2026 10:38 AM
To: Harper Batts <hbatts@sheppard.com>; Director_Discretionary_Decision <director_discretionary_decision@uspto.gov>; Trials <trials@uspto.gov>
Cc: RJ_XtreamEdge-AMD <RJ_XtreamEdge-AMD@reichmanjorgensen.com>; Chris Ponder <cponder@sheppard.com>; Jeffrey Liang <jliang@sheppard.com>; LegalTM-AMD-Concurrent <LegalTM-AMD-Concurrent@sheppard.com>; Christine E. Lehman <clehman@reichmanjorgensen.com>; Zach Jacobs <zjacobs@reichmanjorgensen.com>
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Dear Honorable Director and Board,

Patent Owners respond briefly to correct the record.

First, as explained in Patent Owners' original email for authorization, Patent Owners requested a meet and confer on Petitioners' violation of the *Sotera* stipulation, a request which Petitioners ignored. *See* Ltr. from Z. Jacobs to J. Liang on Feb. 20, 2026. Notably, Petitioners have not yet addressed, much less denied, this serious violation—a violation that undermines the integrity of this proceeding and calls into question whether it should continue.

Second, Patent Owners requested authorization to file a Motion to Vacate the Institution Decision and Terminate the Proceeding, not a conference call with the Board. Petitioners' cited portions to the Scheduling Order applies only to requests for conference calls, and therefore do not apply here.

Respectfully,
Michael Matulewicz-Crowley
REICHMAN JORGENSEN LEHMAN & FELDBERG LLP
650 Fifth Avenue, Suite 2320
New York, NY 10019
(332) 208-7170

From: Harper Batts <hbatts@sheppard.com>

Sent: Monday, March 9, 2026 12:50 PM

To: Michael Matulewicz-Crowley <mmatulewicz-crowley@reichmanjorgensen.com>;
Director_Discretionary_Decision <director_discretionary_decision@uspto.gov>; Trials
<trials@uspto.gov>

Cc: RJ_XtreamEdge-AMD <RJ_XtreamEdge-AMD@reichmanjorgensen.com>; Chris Ponder
<cponder@sheppard.com>; Jeffrey Liang <jliang@sheppard.com>; LegalTM-AMD-Concurrent
<LegalTM-AMD-Concurrent@sheppard.com>; Christine E. Lehman
<clehman@reichmanjorgensen.com>; Zach Jacobs <zjacobs@reichmanjorgensen.com>

Subject: RE: IPR2025-00223; IPR2025-00478; IPR2025-00486: Request for authorization to file
Motion to Vacate the Institution Decision and Terminate the Proceeding

CAUTION: EXTERNAL SENDER

Dear Honorable Director and Board,

The below e-mail request is improper and should not be considered. As set forth in the Scheduling Orders, "For any email requesting a conference call with the Board: (a) copy all parties, (b) indicate generally the relief being requested or the subject matter of the conference call, (c) include multiple times when all parties are available, (d) state whether the opposing party opposes any relief requested, and (e) if opposed, ***either certify that the parties have met and conferred telephonically or in person to attempt to reach agreement, or explain why such meet and confer did not occur. The email may not contain substantive argument and, unless otherwise authorized, may not include attachments.*** Consolidated Practice Guide at 9–10." See for example IPR2025-00478 ('596), Paper 12, Scheduling Order, 2. The Scheduling Order is also consistent with the Trial Practice Guide (Guide at 9) as well as PTAB caselaw on the subject.

Patent Owners did not even attempt to meet and confer in these IPR proceedings before sending the below e-mail, never previously raised a potential motion to vacate/terminate with Petitioners and included attachments contrary to the Scheduling Orders. Petitioners requested this morning that Patent Owners withdraw their request and Patent Owners refused to do so. Petitioners request that Patent Owners be admonished and reminded of proper PTAB procedures and that the below request be denied as procedurally improper.

Respectfully,

Harper Batts
Lead Counsel for Petitioners

Harper Batts

Partner



1540 El Camino Real, Suite 120
Menlo Park, CA 94025-4111
Direct +1.650.815.2673 | Office +1.650.815.2600
hbatts@sheppard.com | [Bio](#) | [LinkedIn](#) | sheppard.com

From: Michael Matulewicz-Crowley <mmatulewicz-crowley@reichmanjorgensen.com>
Sent: Monday, March 9, 2026 6:25 AM
To: Director_Discretionary_Decision <director_discretionary_decision@uspto.gov>; Trials <trials@uspto.gov>
Cc: RJ_XtreamEdge-AMD <RJ_XtreamEdge-AMD@reichmanjorgensen.com>; Harper Batts <hbatts@sheppard.com>; Chris Ponder <cponder@sheppard.com>; Jeffrey Liang <jliang@sheppard.com>; LegalTM-AMD-Concurrent <LegalTM-AMD-Concurrent@sheppard.com>; Christine E. Lehman <clehman@reichmanjorgensen.com>; Zach Jacobs <zjacobs@reichmanjorgensen.com>
Subject: IPR2025-00223; IPR2025-00478; IPR2025-00486: Request for authorization to file Motion to Vacate the Institution Decision and Terminate the Proceeding

Dear Honorable Director and Board,

In each of the above-captioned, currently instituted IPR proceedings (IPR2025-00223; IPR2025-00478; IPR2025-00486), Patent Owners respectfully request authorization to file a Motion to Vacate the Institution Decision and Terminate the Proceeding. In opposing Patent Owners' requests for discretionary denial, Petitioners submitted *Sotera* Stipulations in each proceeding and in the parallel district court litigation, stipulating to the Patent Office and District Court that they would not rely on any ground in the parallel district court litigation that they raised or reasonably could have raised in the IPRs. *See* IPR2025-00223, EX-1048, Paper 8 at 18-19; IPR2025-00478, Paper 8 at 18-19; IPR2025-00486, Paper 8 at 16-17. Petitioners have reneged on their stipulations. As reflected in the attached invalidity contentions, served on February 13, 2026, Petitioners are actively asserting anticipation and obviousness grounds against the patents at issue in the IPRs (the '596, '753, and '943 patents) based only on prior art patents and printed publications that reasonably could have been raised in the IPRs. *See, e.g.*, Invalidity Contentions at 6-10, 57-60, 74-78. Worse yet, Petitioners' district court invalidity contentions expressly incorporate the exact grounds that were *actually* raised in each IPR. *Id.* at 10, 44, 60, 78, 92. Patent Owners informed Petitioners of this issue on February 20, 2026, as reflected in the attached email. Petitioners have not responded or otherwise addressed the discrepancy between their actions and their previous stipulations to this Office and the District Court.

Patent Owners should be authorized to file Motions to Vacate the Institution Decisions and Terminate the Proceedings in light of Petitioners' actions. *See* 37 C.F.R. § 42.5 ("The Board

may determine a proper course of conduct in a proceeding for any situation not specifically covered by this part . . .”). Petitioners’ misrepresentation to the Director of their actual position (that they *will* rely on grounds that were raised or reasonably could have been raised in the IPRs) independently warrants discretionary denial. The fact that Petitioners effectively have no *Sotera* Stipulations gets to the core of the discretionary denial analysis, and also warrants denial. Petitioners are now proceeding with their invalidity arguments on two tracks—the IPR proceedings are not “true alternative[s]” to the district court proceeding, but copies of it. *Motorola Solutions, Inc. v. Stellar, LLC*, IPR2024-01205, Paper 19 at 3-4 (PTAB Mar. 28, 2025). Petitioners’ failure of candor was not previously known; now that it has come to light, vacating the institution decisions and terminating the proceedings is warranted.

Patent Owners’ counsel can be available for a conference call should the Director or Board request one.

Regards,
Michael Matulewicz-Crowley
REICHMAN JORGENSEN LEHMAN & FELDBERG LLP
650 Fifth Avenue, Suite 2320
New York, NY 10019
(332) 208-7170

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