

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., AND
SAMSUNG ELECTRONICS AMERICA, INC.
Petitioner

v.

SINOTECHNIX LLC.
Patent Owner

Case No. IPR2025-00332
U.S. Patent No. 7,951,626

PETITIONER'S SUPPLEMENTAL BRIEF
REGARDING UPDATED STIPULATION¹

¹ Filed pursuant to the Board's Email dated June 12, 2025. *See* EX3101.

PETITIONER’S EXHIBIT LIST

Petitioner Exhibit No.	DESCRIPTION
1001	U.S. Patent No. 7,951,626 (“’626 Patent”)
1002	Declaration of Dr. Ioannis Kymissis
1003	PCT Application Publication No. WO2002/059983 (“Eliashevich”)
1004	U.S. Patent No. 5,378,309 (“Rabinzohn”)
1005	U.S. Patent Application Publication No. 2003/0189212 (“Yoo”)
1006	U.S. Patent No. 6,444,410 (“Huang”)
1007	U.S. Patent Application Publication No. 2005/0281303 (“Horio”)
1008	U.S. Patent Application Publication No. 2006/0169993 (“Fan”)
1009	U.S. Patent No. 7,053,419 (“Camras”)
1010	U.S. Patent No. 6,229,160 (“Krames”)
1011	H. Xiao, “Introduction to Semiconductor Manufacturing Technology,” “Chapter 6,” Prentice Hall, 2001
1012	File History of U.S. Patent No. 7,951,626
1013	File History of U.S. Application No. 11/993,965
1014	L.F. Thompson, “Introduction to Microlithography,” “Chapter 1. Introduction to Photolithography,” <i>ACS Symposium Series</i> Vol. 219, 1983 (“Thompson”)
1015	D. J. Kim, “Characterization and Modeling of Positive Photoresist,” Memorandum No. UCB/ERL M84/65, 1984 (“Kim”)
1016	S. L. Morton et al., “Ultrasonic Sensor for Photoresist Process Monitoring,” <i>IEEE Transactions on Semiconductor Manufacturing</i> , Vol. 12, No. 3, August 1999 (“Morton”)
1017	E. J. Jewell et al., “The New Oxford American Dictionary,” Oxford University Press, p. 1286, 2001
1018	Docket Control Order in <i>Sinotechnix LLC v. Samsung Electronics et al.</i> , 2:24-cv-544-JRG-RSP
1019	Judicial Caseload For Eastern District of Texas
1020	Judge Gilstrap’s Case Schedule (May 4, 2026)
1021	T. Nakazawa et al., “Compact and monolithic coarse wavelength-division multiplexer-demultiplexer fabricated by use of a high-spatial-frequency transmission grating buried in a slab waveguide,” Vol. 29, Issue 11, pp. 1188-1190, 2004 (“Nakazawa”)
1022	U.S. Patent Application No. 2006/0231852 (“Kususe”)
1023	H. Jansen et al., “A survey on the reactive ion etching of silicon in

Petitioner Exhibit No.	DESCRIPTION
	microtechnology,” Micromechanics Europe 1995 Technical Digest, 1995 (“Jansen”)
1024	<i>Sotera</i> Stipulation
1025	Updated <i>Sotera</i> Stipulation

On April 21, 2025, Petitioner filed a stipulation stating:

Consistent with *Sotera Wireless, Inc.*, Petitioner hereby stipulates “that if the PTAB institutes *inter partes* review, Petitioner ‘will not pursue in [*Sinotechnix LLC v. Samsung Electronics Co., Ltd. et al.*, No. 2:24-cv-00544 (EDTX) (“Litigation”)] the specific grounds [asserted in IPR2025-00332], or . . . any other ground . . . that was raised or could have been reasonably raised in an IPR (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patent or printed publications).” *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 13-14 (PTAB Dec. 1, 2020) (precedential). For the avoidance of doubt, if the PTAB institutes *inter partes* review, Petitioner will not, in the Litigation, rely on any product or system art that is “based on the same evidence presented” in this IPR. *Cf. SAP America, Inc. v Cyandia, Inc.*, IPR2024-01496, Paper 13 at 9 (PTAB Apr. 7, 2025).

EX1024, 2.

Petitioner files herewith a further broadened stipulation that adds that “if the PTAB institutes *inter partes* review, Petitioner will not, in the Litigation, ‘assert combinations of product art with printed publication prior art asserted in this [IPR] proceeding.’ *Samsung Elecs. Co., Ltd. v. SiOnyx, LLC*, IPR2025-00064, Paper 16 at 14 (PTAB Jun. 6, 2025).” EX1025, 2.

The further broadened stipulation ensures that, if instituted, this IPR will serve as a “true alternative” to the Litigation by categorically excluding the “printed

publication prior art asserted in this [IPR] proceeding” from the Litigation, including any use of that printed publication prior art in combination with any product or system art. Put another way, if the IPR is instituted, the prior art references used in the IPR—namely Eliashevich, Rabinzohn, Yoo, Huang, and Horio (or even any product or system art that is based on those references)—will not be used in the Litigation—whether independently or in combination with *any* prior art including product or system art. Under the further broadened stipulation, there will be no “overlap between issues raised in the petition and in the [Litigation],” eliminating any “concerns of inefficiency and the possibility of conflicting decisions” between the PTAB and the district court. *Apple Inc. v. Fintiv, Inc*, IPR2020-00019, Paper 11 at 12 (PTAB Mar. 20, 2020) (precedential).

Indeed, Petitioner’s further broadened stipulation squarely addresses—and moots—the very concerns that the Board has recently found favor denial under *Fintiv* Factor 4. *See SiOnyx*, IPR2025-00064, Paper 16 at 15-16 (PTAB Jun. 6, 2025); IPR2025-00065, Paper 16 at 15 (PTAB Jun. 6, 2025). Accordingly, Petitioner respectfully submits Factor 4 strongly favors institution.

Dated: June 13, 2025

Respectfully submitted,
/Yung-Hoon Ha/
Yung-Hoon Ha (Reg. No. 56,368)
DESMARAIS LLP
Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that on June 13, 2025, complete a copy of the foregoing **Petitioner's Stipulation Regarding Updated Stipulation and Ex. 1025 (Updated Sotera Stipulation)** was served on counsel of record for the Patent Owner by filing the documents through P-TACTS and by sending via electronic mail to the following addresses:

Brandon G. Moore
Registration No. 77,885
NELSON BUMGARDNER
CONROY P.C.
2727 North Harwood Street, Ste. 250
Dallas, Texas 75201
Telephone: (214) 208-3684
Email: brandon@nelbum.com

David T. DeZern
Registration No. 60,117
NELSON BUMGARDNER
CONROY P.C.
2727 North Harwood Street, Ste. 250
Dallas, Texas 75201
Telephone: (214) 446-4950
Email: david@nelbum.com

sinotechnix@nelbum.com

Dated: June 13, 2025

Respectfully submitted,

/Yung-Hoon Ha/
Yung-Hoon Ha (Reg. No. 56,368)
DESMARAIS LLP
230 Park Ave
New York, NY 10169
212-808-1060 (telephone)
212-351-3401 (facsimile)

Counsel for Petitioner