UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

SINOTECHNIX LLC,
Patent Owner

Case IPR2025-00336

U.S. Patent No. 7,901,113

PATENT OWNER'S REPLY TO PETITIONERS' SUPPLEMENTAL BRIEF REGARDING UPDATED STIPULATION[1]

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

PATENT OWNER'S EXHIBIT LIST

Exhibit	Description and Short Name
Ex. 2001	Docket Report for *Sinotechnix LLC v. Samsung Electronics Co., Ltd., et al.*, 2:24-cv-544-JRG (E.D. Tex. Jul. 17, 2024)
Ex. 2002	*Sinotechnix LLC v. Samsung Electronics Co., Ltd., et al.*, 2:24-cv-544-JRG-RSP, Dkt. No. 48, Amended Docket Control Order
Ex. 2003	*MyPort, Inc. v. Samsung Elecs. Co., Ltd.*, Case No. 2:22-cv-00114-JRG, Order, Dkt. No. 73 (E.D. Tex. June 13, 2023)
Ex. 2004	*General Access Solutions, Ltd. v. Cellco Partnership*, Case No. 2:22-cv-00394-JRG, Order, Dkt. No. 225 (E.D. Tex. May 22, 2024)
Ex. 2005	Excerpts of Petitioners' Amended Invalidity Contentions served in *Sinotechnix LLC v. Samsung Electronics Co., Ltd., et al.*, 2:24-cv-544-JRG (E.D. Tex. Jul. 17, 2024) (highlighting added)
Ex. 2006	Petitioners' Subpoena to Lumileds, LLC dated February 5, 2025 (trimmed)
Ex. 2007	Petitioners' Subpoena to Carclo US Holdings, Inc. dated March 31, 2025 (trimmed)
Ex. 2008	Collection of Petitioners' Notices of Subpoenas
Ex. 2009	Minutes Entry for April 10, 2025 Hearing (*Sinotechnix LLC v. Samsung Electronics Co., Ltd., et al.*, 2:24-cv-544-JRG, Dkt. No. 102 (E.D. Tex. Jul. 17, 2024))
Ex. 2010	Minutes Entry for April 15, 2025 Hearing (*Sinotechnix LLC v. Samsung Electronics Co., Ltd., et al.*, 2:24-cv-544-JRG, Dkt. No. 120 (E.D. Tex. Jul. 17, 2024))

Ex. 2011	Email from Y. Ha, counsel for Petitioners, to the Board dated April 17, 2025 (highlighting added)
Ex. 2012	Petitioners' Motion to Transfer Venue (*Sinotechnix LLC v. Samsung Electronics Co., Ltd., et al.*, 2:24-cv-544-JRG, Dkt. No. 53 (E.D. Tex. Jul. 17, 2024)) (highlighting added)
Ex. 2013	U.S. Patent No. 6,607,286
Ex. 2014	U.S. Patent No. 6,679,621
Ex. 2015	U.S. Patent Application Publication No. 2002/0044454
Ex. 2016	Declaration of Thomas William Kennedy Jr.
Ex. 2017	Excerpts of McGraw-Hill Dictionary of Scientific and Technical Terms (6th ed. 2003)
Ex. 2018	U.S. Patent No. 6,274,924 ("Carey")

Petitioners' most recent amended *Sotera* stipulation (EX1039) demonstrates Petitioners' commitment to ensuring that this proceeding will *not* be a true alternative to the litigation. *See Motorola Solutions v. Stellar*, IPR2024-01205, Paper 19 at 3-4 (PTAB Mar. 28, 2025) ("Petitioner's [*Sotera*] stipulation does not ensure that these IPR proceedings would be a 'true alternative' to the district court proceeding."). Despite now having two opportunities to amend its *Sotera* stipulation, Petitioners persist in their intention to assert system art in the district court case—and not simply a few system references. In the parallel district court litigation, Petitioners have subpoenaed nineteen companies and presently have at least *seventeen* system references in their invalidity contentions. As discussed in Patent Owner's Discretionary Denial Brief, Petitioners' invalidity contentions in the parallel district court litigation include at least three products (i.e., system prior art that cannot be raised in IPR) that Petitioners contend anticipate or render obvious all asserted claims of the '113 Patent. *See* Paper 8, pp. 19-22. Thus, Petitioners demand two separate proceedings on invalidity: this IPR as well as a trial on a substantial number of system references (including combinations with printed publications that are not asserted in these proceedings). This is the antithesis of a "true alternative."

Moreover, Petitioners' second amended stipulation does not provide that Petitioners will not assert product or system prior art in combination with patent or printed publication prior art that it *could* have raised before the Board. *See* EX1039 (merely stating that Petitioners will not assert combinations of product art with printed publication prior art *asserted* in this IPR proceeding). Consequently,

Petitioner's invalidity arguments in the district court are more expansive and include combinations of the prior art that could have been asserted in these proceedings with unpublished system prior art, which Petitioner's stipulation will *not* moot.

Petitioners incorrectly argue that under their second amended stipulation "there will be no 'overlap between issues raised in the petition and in the [Litigation]'" and that "concerns of inefficiency and the possibility of conflicting decisions" will be eliminated. *See* Paper 11, p. 2. To begin with, deciding issues of validity necessarily involve interpreting the claims and resolving claim construction issues. As discussed in Patent Owner's Discretionary Denial Brief, claim construction proceedings will begin shortly in the parallel district court litigation and will be decided well before a final decision in this case. *See* Paper 8, p. 14. Petitioners' second amended stipulation does not eliminate the inefficiency of conducting multiple claim construction proceedings in front of multiple tribunals or the potential of conflicting claim construction decisions. Additionally, it would be far more efficient to conduct a single trial in front of a single tribunal that resolves *all* validity issues (i.e., a district court trial that resolves validity based on product/system art as well as printed publications and patents) rather than requiring validity to be considered twice, first in district proceedings and then again in *inter partes* review proceedings.

For the reasons discussed above, *Fintiv* Factor 4, which considers concerns of inefficiency and the possibility of conflicting decisions, weighs in favor of discretionary denial.

Dated: June 17, 2025 By: *<u>/s/ Brandon G. Moore</u>*

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CERTIFICATE OF COMPLIANCE WITH PAGE COUNT

Pursuant to the Board's June 12, 2025 email correspondence, I certify that this Patent Owner's Reply to Petitioners' Supplemental Brief Regarding Stipulation complies with the type-volume limits of the Board's June 12, 2025 email correspondence because it contains two pages, excluding the parts of this brief that are exempted by 37 C.F.R. § 42.24(a)(1).

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CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2025, a copy of Patent Owner's Reply to Petitioners' Supplemental Brief Regarding Stipulation has been served in its entirety via email on the following:

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