

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.

Petitioner,

v.

INTELLECTUAL VENTURES II LLC

Patent Owner.

Case No. IPR2025-00340

U.S. Patent No. 6,894,639

**AUTHORIZED RESPONSE TO REHEARING REQUEST OF
DIRECTOR REVIEW DECISION**

TABLE OF CONTENTS

PATENT OWNER’S EXHIBIT LIST	iii
I. INTRODUCTION	1
II. STATEMENT OF FACTS	2
A. The Petition And The Patent Owner Preliminary Response	2
B. Petitioner’s Pre-Institution Reply	2
C. Patent Owner’s Pre-Institution Sur-Reply	4
D. The Institution Decision	4
E. Patent Owner’s Request for Director Review	5
F. Petitioner’s Authorized Response To Patent Owner’s Request for Director Review	7
G. The Director Rules In <i>Revvo Techs, Inc. v. Cerebrum Sensor Techs</i>	9
H. The Director Grants Director Review In This Case	10
III. PETITIONER’S REHEARING REQUEST HAS NO MERIT	11
A. Petitioner Was Given Ample Opportunities To Explain Why Inconsistent Claim Construction Positions Were Warranted	11
B. The Director Review Decision Does Not Conflict With <i>Intel</i>	13
C. An Unissued <i>Markman</i> Order Changes Nothing	14
IV. CONCLUSION	15

PATENT OWNER'S EXHIBIT LIST

EX2001	Petitioner's Answer to Complaint and Counterclaim, dated June 20, 2024, in <i>Intellectual Ventures II LLC v. Tesla, Inc.</i> , C.A. 1:24-cv-00884-ADA (W.D. Tex.)
EX2002	Docket from District Court Litigation, <i>Intellectual Ventures II LLC v. Tesla, Inc.</i> , C.A. 1:24-cv-00884-ADA (W.D. Tex.)
EX2003	Scheduling Order from District Court Litigation, <i>Intellectual Ventures II LLC v. Tesla, Inc.</i> , C.A. 1:24-cv-00884-ADA (W.D. Tex.)
EX2004	Defendant's Second Supplemental Preliminary Invalidity Contentions, dated January 9, 2025, in District Court Litigation, <i>Intellectual Ventures II LLC v. Tesla, Inc.</i> , C.A. 1:24-cv-00884-ADA (W.D. Tex.)
EX2005	Letter from Patent Owner to Associate General Counsel for Petitioner, dated August 20, 2020, enclosing copy of U.S. Pat. No. 7,181,143 and Claim Chart Presentation
EX2006	Sanger, T. D. "Optimal Unsupervised Learning." Neural Networks vol. 2, pp. 459-473 (1989)
EX2007	Declaration of Dr. Majumder In Support Of Patent Owner's Preliminary Response.
EX2008	CV of Dr. Majumder

I. INTRODUCTION

Petitioner's Rehearing Request of Director Review Decision should be denied. The Director Review Decision (Paper #18) did not "overlook or misapprehend" anything, nor did it change the rule set forth in *Cambridge Mobile Telematics, v. Sfara*, IPR2024-00952, Paper 12, which was designated informative months before the Institution Decision in this case. *Cambridge* held that where, as here, a Petitioner asserts in district court that a claim term is indefinite, the Petition is deficient if it merely argues that the Board in the IPR should apply the "plain and ordinary meaning" of the term. *Id.*, at 7. Despite being aware of *Cambridge* throughout these proceedings, Petitioner has yet to offer any explanation why inconsistent positions are warranted. Instead, Petitioner has repeatedly stuck its head in the sand and argued that its positions were not inconsistent.

Nor did the Director Review Decision "overlook or misapprehend" *Intel Corp. v. Qualcomm*, 21 F.4th 801, 813 (Fed. Cir. 2021), which stands for the general rule that a claim cannot be both indefinite and invalid over the prior art. The Court in *Intel* identified a limited exception to that rule where the asserted art could be applied in a way that completely avoided the indefinite aspect of the claim, thereby making it "logically possible" for the Board to address patentability based on prior art. Here, Petitioner maintains in the district court that the claim is indefinite because it has "multiple, equally plausible" interpretations, while before the Board, Petitioner

adopted only one of those “equally plausible” interpretations. Ex. 2004, 227-228; Ex. 1070, 8-11. Petitioner has yet to explain how it would be logically possible to assess obviousness (e.g., in a way that avoids or renders moot an indefinite aspect of the claim) by considering only one of “multiple, equally plausible” interpretations.

As explained below, Petitioner’s Rehearing Request should be denied.

II. STATEMENT OF FACTS

A. The Petition And The Patent Owner Preliminary Response

In the district court, Petitioner took the position that the limitation in claim 1 that recites “generating said target feature information from said data statistics” is indefinite because a POSITA would not be able to determine the “meaning and scope” of this limitation “with reasonable certainty.” Ex. 2004, 227-228. By contrast, in the IPR Petition, Petitioner stated that “no claim term requires express construction” (Pet., 10), and Petitioner’s expert stated that each claim term should be given its ordinary and customary meaning. Ex, 1003, ¶¶38-39.

In the Patent Owner Preliminary Response (POPR), the Patent Owner pointed out that the Petition failed to disclose Petitioner’s inconsistent claim construction positions to the Board and lacked any explanation why inconsistent positions were warranted in this case. POPR, 10-11.

B. Petitioner’s Pre-Institution Reply

Petitioner requested (and was granted) leave to file a Pre-Institution Reply

(Paper #11) (“Reply”) In its Reply, Petitioner acknowledged that “*Cambridge* provides that if a petitioner is taking different claim construction positions in the IPR and parallel litigation, the petitioner should explain ‘why the inconsistent positions are warranted,’” yet, the Petitioner still failed to offer the required explanation. Instead, Petitioner made the non-sensical argument that its “positions are not inconsistent because Petitioner cannot raise indefiniteness challenges in this IPR.” Reply, 6-7. However, one does not follow from the other: the fact that Petitioner cannot raise indefiniteness in this IPR does not make Petitioner’s claim construction positions here and its indefinite positions in the district court any less inconsistent.

Just as in *Cambridge*, Petitioner here argued in the district court that the claims were indefinite, while arguing the contrary position in the IPR, that the claims should be given their “plain and ordinary meaning.” IPR2024-00952, Paper 12, 7 (emphasis added). In denying institution in *Cambridge*, the Board held that the fact that an IPR Petition cannot allege indefiniteness standing alone does not justify inconsistent positions, and that where, as here, a Petitioner asserts in district court that a claim term is indefinite, the Petition is deficient if it merely argues that the Board in the IPR should apply the “plain and ordinary meaning” of the term. In so doing, the Board in *Cambridge* made clear that a Petitioner seeking to maintain inconsistent positions takes on the burden of explaining “why the inconsistent positions are warranted.” *Id.* Rather than attempting to satisfy that burden, the Reply relied on the

same proposition that *Cambridge* rejected, namely, the mere fact that a Petitioner cannot raise an indefiniteness challenge in an IPR does not by itself warrant inconsistent claim construction positions. Reply, 6-7.

C. Patent Owner’s Pre-Institution Sur-Reply

In the Patent Owner’s Pre-Institution Sur-Reply (Paper #12), Patent Owner again explained that the Petition was deficient under *Cambridge* for failing to explain why inconsistent claim construction positions were warranted:

The PTAB has made clear in cases such as *Cambridge v. Sfara* (IPR2024-00952) (informative) that petitioners asserting different claim constructions across proceedings must acknowledge and justify the divergence. Petitioner does neither. It simply inserts a footnote reserving the right to raise § 112 arguments elsewhere while offering no explanation for how or why its plain-meaning interpretation here can be squared with its indefiniteness theory in court. Patent Owner’s Pre-Institution Sur-Reply (Paper #12), 7.

D. The Institution Decision

Following the Pre-Institution briefing, the Board instituted the IPR based on the following reasoning:

We decline to deny institution based on Petitioner’s claim construction positions. The issue before us under 37 C.F.R. § 42.104(b) is whether the Petition provides Patent Owner sufficient notice of its claim construction and how Petitioner applies the asserted prior art in light of that construction. ... The difference in Petitioner’s construction in one forum versus another is not necessarily inconsistent, and the Board’s rules “do not necessarily prohibit petitioners from taking inconsistent claim construction positions before the Board and a district court.” *Cambridge Mobile Telematics, Inc. v. Sfara, Inc.*, IPR2024-00952, Paper 12 at 8 (Dec. 13, 2024) (designated informative Mar. 20, 2025). As Petitioner notes (Reply 6), indefiniteness challenges

cannot be raised in an inter partes review. See 35 U.S.C. § 311(b). Moreover, indefiniteness “does not necessarily preclude the Board from addressing the patentability of the claims on section 102 and 103 grounds.” *Samsung Elecs. Am. Inc. v. Priusa Eng’g Corp.*, 948 F.3d 1342, 1355 (Fed. Cir. 2020); see also *Intel Corp. v. Qualcomm Inc.*, 21 F.4th 801, 813 (Fed. Cir. 2021). Institution Decision, 10-12 (emphasis added).

E. Patent Owner’s Request for Director Review

Patent Owner requested Director Review because the Institution Decision had erred in its application of *Cambridge*, *Samsung*, and *Intel*. As Patent Owner explained, the analysis in the Institution Decision lacked an acceptable rationale (as required by *Cambridge*) as to why inconsistent positions were warranted. Director Review Request, 7-8. Again, Patent Owner reiterated the holding of *Cambridge* that where, as here, a Petitioner emphasized to the district court that the claim was indefinite, the mere fact that a Petitioner cannot raise indefiniteness in an IPR (without more) is not an explanation why inconsistent positions are warranted. *Id.*

In the Director Review Request, Patent Owner also emphasized the Office’s findings during rule making that “[m]inimizing differences between claim construction standards used in the various fora will lead to greater uniformity and predictability of the patent grant, improving the integrity of the patent system” and that “the possibility of differing constructions for the same claim term is troubling, especially when claim construction takes place at the same time in parallel district court proceedings and USPTO proceedings.” *Id.*, 9-11, *citing*, 83 FR 51340, Docket

No. PTO-P-2018-0036, Document No. 2018-22006 (emphasis added).

The Patent Owner also explained how the Institution Decision erred in its application of *Samsung* and *Intel*. Director Review Request, 11-13. *Samsung* stands for the general rule that, if the Board “cannot ascertain the scope of a claim with reasonable certainty,” the “proper course ... is to decline to institute the IPR.” *Samsung*, 942 F.3d 1342, 1353. The Court in *Samsung* identified a narrow exception to that rule where the indefiniteness results from the claim spanning both the apparatus and method classes. In that narrow circumstance, the Court held that the indefiniteness “does not necessarily” preclude the Board from addressing patentability because, in that case, the challenger might be able to demonstrate that the prior art satisfied the claim, regardless of whether the claim was treated as an apparatus or a method, thereby making it “logically possible” to apply the asserted art to the claim. Director Review Request, 11-12, *citing*, *Samsung*, 942 F.3d at 1349-1355. By contrast, Petitioner here failed to explain how, where the indefiniteness is rooted in a limitation having “multiple, equally plausible” interpretations, it would be logically possible for the Board to adjudicate obviousness by mapping the prior art to only one of those “equally plausible” interpretations.

Patent Owner’s Director Review Request (at 12-13) also explained a second narrow exception identified in *Intel* where indefiniteness “does not necessarily” preclude the Board from addressing obviousness:

... For example, [1] the indefiniteness of one limitation may not preclude the Board from rejecting a challenge by finding that another limitation is missing from the argued prior art and its argued combinations and modifications. [2] In the other direction, if a claim limitation requires alternative limitations A or B, and A is indefinite, but B is not, the Board may well be able to determine that the argued prior art and its argued combinations or modifications cover the B option, thus satisfying the A or B limitation.

Director Review Request (at 12-13), citing *Intel*, 21 F.4th at 812. In the second situation identified in *Intel*, it was logically possible to adjudicate obviousness where “A is indefinite, but B is not” because the claim recited either “A or B,” and obviousness could therefore be shown by entirely side stepping the alleged indefiniteness of “A” and simply mapping the prior art to “B” which was not indefinite. By contrast, Petitioner has failed to explain how in this case, where Petitioner alleges in the district court that the claim has “multiple, equally plausible” interpretations, it would be logically possible for the Board to adjudicate obviousness by mapping the prior art to only one of those interpretations. Ex. 2004, 227-228; Ex. 1070, 8-11.

F. Petitioner’s Authorized Response To Patent Owner’s Request for Director Review

In Petitioner’s Authorized Response To Patent Owner’s Director Review Request (Paper #16), the Petitioner again stuck its head in the sand and argued that “Petitioner is not taking inconsistent claim construction positions” simply because “Petitioner cannot raise indefiniteness challenges in an IPR.” Paper 16, 2, 4.

Remarkably, in response to Patent Owner’s Request, Petitioner stated:

In its Request, Patent Owner asserts that *Cambridge Mobile* requires “an acceptable rationale ... as to why inconsistent positions are warranted here.” Request, 7-8; *see also id.*, 1. That is not what Cambridge Mobile requires. *Cambridge Mobile* simply requires an IPR petition to ... [identify] how the challenged claim is to be construed. ... Paper 16, 8-9 (emphasis added).

Cambridge held the opposite. Just like this case, the petitioner in *Cambridge* argued that the claims were indefinite in the district court but should be given their “plain and ordinary meaning” in the IPR. *Cambridge*, IPR2024-00952, Paper #12, at 7. In *Cambridge*, the Board denied institution because the Petition failed to explain why inconsistent positions were warranted. *Id.*, at 7 (“At a minimum, the Petition should have explained why the plain and ordinary meaning of the “component” terms should apply in this proceeding (why the inconsistent positions are warranted).”

With respect to Patent Owner’s citations to the Federal Register where the Office stressed the importance of consistent claim construction positions between forums, Petitioner was silent.

Also missing from Petitioner’s response was any explanation of how it would be logically possible for the Board to assess patentability by applying the prior art to only one of such “multiple, equally plausible” interpretations. That is because it is not logically possible to assess patentability by applying the prior art to only one of “multiple, equally plausible” interpretations. Instead of facing this issue, Petitioner argued that the “Board logically explains in the Institution Decision how the prior

art reads on the claims.” Paper #16, 10. However, the Institution Decision (at 11-12) cited *Intel* for the more general proposition that indefiniteness “does not necessarily preclude the Board from addressing the patentability of the claims on section 102 and 103 grounds.” The Institution Decision never determined -- let alone explained how -- it was logically possible for the Board to reach a decision in this case given Petitioner’s inconsistent positions. Nor has Petitioner ever explained how such would be possible in this case despite having multiple opportunities to do so.

G. The Director Rules In *Revvo Techs, Inc. v. Cerebrum Sensor Techs*

On November 3, 2025, the Director issued his Decision *Revvo Techs. Inc. v. Cerebrum Sensor*, IPR2025-00632, Paper 20, 5 (Nov. 3, 2025). Unlike the present case, there was no allegation in *Revvo* that the claims were indefinite in the district court but should be given their “plain and ordinary meaning” in the IPR. Rather, in that case, the Petitioner “did not propose its own constructions for claim terms in the petition,” but instead accepted Patent Owner’s proposed constructions from the district court litigation which differed from the claim constructions proposed by Petitioner in the district court. *Id.*, 2-3. In granting institution, the Board determined that the prohibition against a Petitioner taking inconsistent positions was not limited to situations where there was a dispute as to whether a limitation was subject to interpretation as a means-plus-function element. Citing to *Cambridge*, the Director vacated the institution decision because the Board’s reasoning with respect to

inconsistent claim constructions was erroneous. As the Director explained:

The Board erred by limiting its consideration of Petitioner’s differing claim construction positions to instances that implicate means-plus-function interpretation under Section 112(f). Although the Board’s trial rules “do not necessarily prohibit petitioners from taking inconsistent claim construction positions before the Board and a district court,” when a petitioner takes alternative positions before the Board and a district court, that Petitioner should, at a minimum, explain why alternate positions are warranted. *Cambridge Mobile Telematics, Inc. v. Shara, Inc.*, IPR2024-00952, Paper 12 at 8-9 (PTAB Dec. 13, 2024)(informative). *Revvo Techs.*, IPR2025-00632, Paper 20, 3-4.

The Director’s decision in *Revvo* also relied on the Office findings (made during rule making) that the Board’s rules are designed “to minimize inconsistency in claim construction between forums.” *Id.*, 4. In fact, the Director in *Revvo* cited to the same Federal Register section, stressing the importance of consistent claim construction positions between forums, that Patent Owner raised in its Request for Director Review here, and that Petitioner again simply ignored. *Compare, Revvo*, at 4, *with* Patent Owner’s Director Review Request (Paper 15 in this IPR) at 9-10.

H. The Director Grants Director Review In This Case

On November 5, 2025 (two days after the *Revvo* ruling), the Director granted Director Review and vacated the Institution Decision in this case (Paper #18). That ruling was based on Petitioner’s failure to follow *Cambridge*, that when a petitioner advances different positions before the Board and a district court, the Petitioner must explain why those positions are warranted. Paper 18, 3-4. The Director correctly found that “Petitioner’s statement that it cannot raise indefiniteness challenges in an

inter partes review” was not an explanation but was tantamount “to an assertion that a petitioner *should* be permitted to raise inconsistent invalidity challenges in two forums.” Paper 18, 3 (emphasis added). During the extensive briefing in this case, Patent Owner had consistently made a similar point -- namely, the mere fact that a petitioner cannot raise indefiniteness in an IPR does not by itself explain why inconsistent claim construction positions are warranted. Rather than dealing with that reality, throughout these proceedings Petitioner merely maintained that its positions were not inconsistent.

In keeping with *Intel* and *Samsung*, the Director suggested another situation where the indefinite aspect of the claim might be avoided -- thereby making it logically possible for the Board to adjudicate obviousness -- if, “the limitation prescribed a range and only the bounds of the range were unclear.” *Id.*, 3-4. For example, if the limitation prescribed a range of “about 20%-40%” and it was indefinite whether the prescribed range encompassed 19%, mapping a reference that disclosed 30% to the range limitation makes it logically possible to avoid the indefiniteness issue because 30% is clearly within “about 20%-40%,” regardless of the precise outer bounds of the range.

III. PETITIONER’S REHEARING REQUEST HAS NO MERIT

A. Petitioner Was Given Ample Opportunities To Explain Why Inconsistent Claim Construction Positions Were Warranted

Petitioner alleges that it was never given an opportunity to address *Revvo*

Techs., which “clarifies how a petitioner should approach different claim construction positions and how the Office will assess those positions.” Paper 19, 1. However, the aspect of *Revvo* pertinent to the present case is not new law. In *Revvo*, the Director restated the holding of *Cambridge* that “when a petitioner takes alternative positions before the Board and a district court, that petitioner should, at a minimum, explain why alternate positions are warranted.” *Revvo Techs.*, 3-4, *citing*, *Cambridge*, IPR2024-00952, Paper 12 at 8-9. Contrary to Petitioner’s argument that the holding in *Revvo* is new (Rehearing Request at 4), the burden of explaining why inconsistent claim construction positions are warranted is not new. That has been the law since *Cambridge*. Moreover, the fact that a “Petitioner’s statement that it cannot raise indefiniteness challenges in an *inter partes* review is not a sufficient explanation” was not grounded in *Revvo* (*Revvo* never mentions the word “indefiniteness”), but instead reflects the holding in *Cambridge*, which Petitioner has chosen to ignore throughout these proceedings.

Revvo merely clarified that the rule against inconsistent claim constructions is not limited to means-plus-function disputes. *Revvo*, 3, 5. In this case, neither the Director Review Decision, the Institution Decision, nor either party ever raised the issue clarified in *Revvo*. The Rehearing Request fails to explain how the *Revvo* clarification concerning means-plus-function limitations relates to the present facts because it simply does not.

Finally, the Rehearing Request argues that there should be additional briefing because additional briefing was permitted in *Revvo*. However, *Revvo* was a decision issued *sua sponte*, without the Petitioner having been given a prior opportunity to brief the issue. By contrast, here Petitioner has already been given multiple opportunities to explain why its inconsistent positions were warranted, and chosen not to do so.

B. The Director Review Decision Does Not Conflict With *Intel*

The Rehearing Request (at 3-4) argues that the Director Review Decision “conflicts with” *Intel*, because “the Board found it possible to reach—and in fact did reach—a patentability determination in the Institution Decision.” That is not what the Board did. The Institution Decision (at 11-12) cited *Intel* for the proposition that “indefiniteness ‘does not necessarily preclude the Board from addressing the patentability of the claims on section 102 and 103 grounds.’” The Board never said, nor explained how, it would be logically possible for the Board to reach an invalidity decision based on prior art given Petitioner’s indefiniteness position. Nor has Petitioner ever explained, despite being given multiple opportunities to do so, how that would be possible in this case.

Indeed, it is not. By presenting the Board with a mapping of only one of the allegedly “multiple, equally plausible” interpretations to the asserted art, Petitioner does not avoid or render moot the alleged indefinite aspect of the claim, but instead

runs right into it. Petitioner’s approach was to cherry pick one of its alleged “multiple, equally plausible interpretations,” and assume that the claim is obvious if the prior art maps to its cherry-picked interpretation.¹ That approach does violence to the claim language by re-writing the limitation in question (Limitation A) to read: “either a first equally plausible interpretation of Limitation A or a second equally plausible interpretation of Limitation A” -- which is not what the claim says. Nor is such an approach consistent with Petitioner’s indefiniteness position because if Limitation A actually meant “either a first equally plausible interpretation of Limitation A or a second equally plausible interpretation of Limitation A,” then Limitation A would not be indefinite. Clearly, it is not logically possible to adjudicate obviousness as presented by the Petition if, as Petitioner alleges, Limitation A is indefinite.

C. An Unissued *Markman* Order Changes Nothing

Even though the district court has yet to issue a *Markman* order, the Rehearing Request (at 6-7) argues that Petitioner now should be able to adopt the “plain and ordinary meaning” construction that Petitioner predicts will be in the *Markman* order because doing so poses “no risk of inconsistent claim construction decision between

¹ Indeed, if Patent Owner had not identified the Petition’s inconsistency, the Board would not know that Petitioner had cherry picked one of its own “multiple, equally plausible” interpretations argued to the district court for use in the Petition, allowing Petitioner to obtain a decision from this tribunal on one set of evidence and a decision from the district court on a different set.

this IPR and the district court proceeding.”² However, an unissued *Markman* ruling in the district court changes nothing. The issue of inconsistent positions can only be judged when the Board is considering the issue, e.g., at the time of the institution decision. Moreover, Petitioner’s inconsistent positions are not somehow mooted if the district court rejects the alleged indefiniteness, because the issue will remain a subject for appeal where Petitioner can again advance its indefiniteness position.

Finally, giving the present Petitioner a “free pass” would only further encourage Petitioners to take inconsistent claim constructions, because doing so would be advantageous to the Petitioner regardless of the district court’s ruling, i.e., if, after the institution decision, the district court finds the claim indefinite then the Petitioner has won and the IPR is of no consequence; while, if, after the institution decision, the district court finds the claim is not definite, Petitioner can proceed with the IPR based on a construction that was inconsistent at the time of the Petition. Permitting such gamesmanship will not further the policy of improving the integrity of the patent system. 83 FR 51340, 51345-51350, Docket No. PTO-P-2018-0036.

IV. CONCLUSION

For these reasons, the Rehearing Request should be denied.

² The Petitioner bases this argument on a statement made by the district court judge on April 10, 2025 -- months before the Institution Decision -- and yet the issue is being raised now for the *first* time. Rehearing Request, note 2. A Rehearing Request should not advance new arguments that could have been raised previously.

Respectfully submitted,

Dated: December 12, 2025

By: /Brandon R. Theiss/
Brandon R. Theiss
Registration No. 70,507
Counsel for Patent Owner
Intellectual Ventures II LLC

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing **AUTHORIZED RESPONSE TO REHEARING REQUEST OF DIRECTOR REVIEW** Decision was served via email (as consented to by counsel) on December 12, 2025 to lead and backup counsel of record for Petitioner as follows:

Jonathan R. Bowser
jon.bowser.ipr@haynesboone.com
HAYNES AND BOONE, LLP
2801 N. Harwood Street, Suite 2300
Dallas, TX 75201

Gregory P. Webb
greg.webb.ipr@haynesboone.com
HAYNES AND BOONE, LLP
2801 N. Harwood Street, Suite 2300
Dallas, TX 75201

Scott T. Jarratt
scott.jarratt.ipr@haynesboone.com
HAYNES AND BOONE, LLP
2801 N. Harwood Street, Suite 2300
Dallas, TX 75201

Matthew Beck
matthew.beck.ipr@haynesboone.com
HAYNES AND BOONE, LLP
2801 N. Harwood Street, Suite 2300
Dallas, TX 75201

Paul Margulies
pmargulies@tesla.com
TESLA, INC.
1 Tesla Road
Austin, Texas 78725

Dated: December 12, 2025

By: /Brandon R. Theiss/
Brandon R. Theiss
Registration No. 70,507
Counsel for Patent Owner
Intellectual Ventures II LLC