

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**ZHUHAI COSMX BATTERY CO., LTD.,
Petitioner**

v.

**NINGDE AMPEREX TECHNOLOGY LTD.,
Patent Owner**

**IPR2025-00431
Patent 11,799,131**

**PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE
PROVISIONALLY RECOGNIZED PTAB ATTORNEY
BRADY COX UNDER 37 C.F.R. § 42.10(c)(2)**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
US Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

LIST OF EXHIBITS

Exhibit Number	Description
2001	Second Amended Complaint, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , Case No. 2:24-cv-00728-JRG, ECF No. 23 (E.D. Tex. Jan. 28, 2025)
2002	Scheduling Order, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , Case No. 2:24-cv-00728-JRG, ECF No. 27 (E.D. Tex. Feb. 6, 2025)
2003	CosMX Invalidity Contentions Cover Pleading, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , Case No. 2:24-cv-00728-JRG (E.D. Tex. Jan. 7, 2025)
2004	Summons to attend oral proceedings in German Case No. 3 Ni 12/23 (EP) (“Germany Order 1”)
2005	Summons to attend oral proceedings in German Case No. 3 Ni 12/24 (EP) (“Germany Order 2”)
2006	Docket Navigator Statistics for Judge Rodney Gilstrap (accessed May 5, 2025)
2007	Docket, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , Case No. 2:22-cv-00232 (E.D. Tex.)
2008	Joint Motion for Entry of Protective Order, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , No. 2:24-cv-00728-JRG, ECF No. 30 (E.D. Tex. Feb. 11, 2025)
2009	Amended Final Judgment, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , Case No. 2:22-cv-00232, ECF No. 427 (E.D. Tex.)

Exhibit Number	Description
2010	Article, <i>Lithium battery manufacturer ATL won injunction against its Chinese rival COSMX in German Court</i> , China IP Today (April 6, 2024)
2011	General Docket, <i>Ningde Amperex Tech. Ltd. v. Zhuhai CosMX Battery Co.</i> , No. 25-1037 (CAFC)
2012	U.S. Patent No. 10,833,363 (“the ’363 Patent”)
2013	Darts IP Reports: CN109301326, CN104466097, CN206490141, CN108352492 (May 6, 2025)
2014	Dec. 20, 2021 memo titled “New PE2E Search Tool Using AI Search Features” by Acting Deputy Director Andrew Hirshfeld
2015	Declaration of Dean R. Wheeler, Ph.D.
2016	<i>Curriculum Vitae</i> of Dean R. Wheeler, Ph.D.
2017	Sigma-Aldrich Safety Data Sheet, “Lithium hexafluorophosphate solution in ethylene carbonate-d ₄ (99 atom % D) and ethyl-d ₅ methyl-d ₃ carbonate (98 atom % D), 1.0 M LiPF ₆ in EC-d ₄ /EMC-d ₈ =3:7 (v/v), battery grade”, dated July 11, 2016
2018	Safety Data Sheet, “Lithium Hexafluorophosphate in EC/EMC 3:7”, dated September 2018
2019	Sigma-Aldrich Product Specification, “Lithium hexafluorophosphate solution - in ethylene carbonate and diethyl carbonate, 1.0M LiPF ₆ in EC/DEC=50/50 (v/v), battery grade”
2020	Sigma-Aldrich Product Specification, “Lithium hexafluorophosphate solution - in diethyl carbonate, 1.0M LiPF ₆ in DEC, battery grade”

Exhibit Number	Description
2021	Sigma-Aldrich Product Specification, “Lithium hexafluorophosphate solution - in ethylene carbonate and dimethyl carbonate, 1.0M LiPF ₆ in EC/DMC=50/50 (v/v), battery grade”
2022	Chinese Patent Application No. CN104051787A to Yongjun et al. (including English translation, translation affidavit, and copy of original document in Chinese)
2023	Wenbo Zhang et al., <i>Interfacial processes and influence of composite cathode microstructure controlling the performance of all-solid-state lithium batteries</i> , 9 ACS Applied Materials & Interfaces 17835–17845 (2017).
2024	BYU DIPPR® (Design Institute for Physical Properties) Thermophysical Properties Laboratory Data Information Sheet for n-Propyl Propionate
2025	2016 Batteries Conference GRC, available at: https://www.grc.org/batteries-conference/2016/ (accessed on 12 May 2025).
2026	<i>Hubs – Department of Energy</i> , available at: https://www.energy.gov/hubs (accessed on 12 May 2025)
2027	<i>DOE Energy Innovation Hubs</i> , available at: https://science.osti.gov/bes/Research/DOE-Energy-Innovation-Hubs (accessed on 12 May 2025)
2028	Amir-Sina Hamed, Fezzeh Pouraghajan, Fei Sun, Mojdeh Nikpour, & Dean R. Wheeler, <i>Interplay of Electrode Heterogeneity and Lithium Plating</i> , 169 J. Electrochem. Soc. 020551 (2022)

Exhibit Number	Description
2029	Fei Sun and Dean R. Wheeler, <i>The Effects of Lithium Ions and pH on the Function of Polyacrylic Acid Binder for Silicon Anodes</i> , 170 J. Electrochem. Soc. 080502 (2023)
2030	Fezzeh Pouraghajan, Andrea I. Thompson, Emilee E. Hunter, Brian Mazzeo, Jake Christensen, Ram Subbaraman, Michael Wray, & Dean Wheeler, <i>The Effects of Cycling on Ionic and Electronic Conductivities of Li-ion Battery Electrodes</i> , 492 J. of Power Sources 229636 (2021)
2031	Amir-Sina Hamed, Edmund M. Shumway, & Dean R. Wheeler, <i>Electrode-Level Modeling of Silicon Anodes for Improved Cell Design</i> , 171 J. Electrochem. Soc. 120539 (2024)
2032	Jerome Workman, Jr., <i>A Comprehensive Review of Spectroscopic Techniques for Lithium-Ion Battery Analysis</i> , 39 Spectroscopy 6 (2024), https://doi.org/10.56530/spectroscopy.ii3689u3
2033	Anup Barai et al., <i>A Comparison of Methodologies for the Non-Invasive Characterisation of Commercial Li-Ion Cells</i> , 72 Progress in Energy and Combustion Science 1-31 (2019)
2034	<i>Lithium-ion Battery Design: Effects of Optimal Compaction Density</i> , available at: https://www.neware.net/news/lithium-ion-battery-design-effects-of-optimal-compaction-density/230/83.html (accessed on May 23, 2025)
2035	Shu Lu, et al., <i>Binder-Free LiCoO₂/Carbon Nanotube Cathodes for High-Performance Lithium Ion Batteries</i> , 24 Adv. Mater. 2294-2298 (2012)
2036	Lei-Lei Lu, et al., <i>Wood-Inspired High-Performance Ultrathick Bulk Battery Electrodes</i> , Adv. Mater. 1706745 (2018)

Exhibit Number	Description
2037	Yasuhiko Takahashi, et al., <i>Structure and electron density analysis of electrochemically and chemically delithiated LiCoO₂ single crystals</i> , 180 Journal of Solid State Chemistry 313-321 (2007), https://doi.org/10.1016/j.jssc.2006.10.018
2038	<i>Carbon Black</i> , Available at: https://pubchem.ncbi.nlm.nih.gov/compound/carbon%20black , (accessed on May 23, 2025)
2039	Sankar Mandal, et al., <i>The Role of Carbon Black in LiMn₂O₄-Based Composites as Cathodes for Rechargeable Lithium Batteries</i> . 148 J. Electrochem. Soc. A24-A29 (2001)
2040	<i>Ethylene Carbonate</i> , https://www.m-chemical.co.jp/en/products/departments/mcc/c2/product/1200981_7910.html (accessed on June 8, 2025)
2041	Declaration of Brady Cox

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.10(c)(2) and the Notice of Filing Date Accorded to Petition (Paper No. 5), Patent Owner Ningde Amperex Technology Ltd. (“Patent Owner”) hereby submits this notice of intent to designate provisionally recognized attorney Brady Cox as backup counsel. The facts set forth below and the accompanying Certification in the form of a declaration by Mr. Cox, Ex. 2041 (“Cox Decl.”), support his *pro hac vice* admission.

II. STATEMENT OF FACTS SHOWING THERE IS GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THE PROCEEDING

A. Identity of the Registered Practitioner Who Will Serve as Lead Counsel

Patent Owner is represented by Christopher TL Douglas (Reg. No. 56,950) as lead counsel in this proceeding. *See* Paper Nos. 3-4.

B. The Most Recent Prior Proceeding in Which the Person Seeking to Appear Was Recognized *Pro Hac Vice* by Order of the Patent Trial and Appeal Board Pursuant to a Motion of the Type Described in 37 C.F.R. §42.10(c)(1)

The most recent prior proceeding in which Mr. Cox sought to appear and was recognized *pro hac vice* by order of the PTAB pursuant to a motion was a pair of twin decisions in *Intel. Corp. et al. v. Alacritech, Inc.*, IPR2018-00234, Paper 64, DECISION Petitioner’s Unopposed Motion for Admission *Pro Hac Vice* of Brady

Cox 37 C.F.R § 42.10 (PTAB March 4, 2019); and *Intel. Corp. et al. v. Alacritech, Inc.*, IPR2018-00226, Paper 74, DECISION Petitioner's Unopposed Motion for Admission Pro Hac Vice of Brady Cox 37 C.F.R § 42.10 (PTAB March 4, 2019). Cox Decl., ¶ 8.

C. Requirements Enumerated in the Board's Notice of Filing Date Accorded (Paper No. 5)

In his declaration, Mr. Cox attests to all facts required for *pro hac vice* admission.

Mr. Cox is a member in good standing of the bar of at least one state or the District of Columbia, specifically, Texas, Cox Decl., ¶ 2.

Mr. Cox has not been suspended, disbarred, had his application denied, been sanctioned, or had a contempt citation imposed on him by any court or administrative body. *Id.*, ¶¶ 3-5.

Mr. Cox has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 CFR part 42. *Id.*, ¶ 6.

Mr. Cox agrees that he is subject to the USPTO Rules of Professional Conduct set forth in 37 CFR § 11.101 *et seq.* and disciplinary jurisdiction under 37 CFR § 11.19(a). *Id.*, ¶ 7.

Mr. Cox has not applied to appear *pro hac vice* in any IPR proceedings in the last three years. *Id.* ¶ 10.

Mr. Cox has familiarity with the subject matter at issue in the proceeding. *Id.*, ¶¶ 11-12.

III. CONCLUSION

Upon being deemed admitted *pro hac vice* under 37 C.F.R. § 42.10(c)(2)(iii), Patent Owner will file updated mandatory notices identifying Mr. Cox as counsel of record. *See* Paper 3. And Mr. Cox will keep the Board informed of sanctions, changes to good standing at a bar, or any other event that renders materially inaccurate or incomplete any representation that he made to the Board in connection with this request for *pro hac vice* notice. Cox Decl., ¶ 13.

Date: August 29, 2025

/Christopher TL Douglas/
Christopher TL Douglas
Reg. No. 56,950

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e), the undersigned hereby certifies that true and correct copies of the above-captioned **PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE PROVISIONALLY RECOGNIZED PTAB ATTORNEY BRADY COX UNDER 37 C.F.R. § 42.10(c)(2) and NINGDE AMPEREX TECH. EXHIBIT 2041** were served in their entirety on August 29, 2025 via filing through the Patent Trial and Appeal Case Tracking System (P-TACTS) and electronic mail on the following counsel of record for Petitioner:

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Date: August 29, 2025

/Christopher TL Douglas/
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