

From: [Trials](#)
To: [Hector Ribera](#); [Trials](#)
Cc: [Jason Eisenberg](#); [Tyler Dutton](#); [Jean Selep](#); [PTAB Account](#); [C. J. Alice Chuang](#); [Carolyn Chang](#); [Ryan Marton](#); [Litigation Calendar](#)
Subject: RE: IPR2025-00574 (U.S. Patent No. 11,875,580) // Request for Authorization to File Motion to Strike
Date: Wednesday, April 1, 2026 11:49:41 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Counsel,

Petitioner's requests for authorization to file a motion to strike and for expungement of Exhibit 2007 are denied. To ensure a complete record, the parties shall confer and file, as exhibits in this case, the parties' claim construction briefing from the district court case.

Regards,

Andrew Kellogg,
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From: Hector Ribera <hector@martonribera.com>
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Subject: Re: IPR2025-00574 (U.S. Patent No. 11,875,580) // Request for Authorization to File Motion to Strike

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Motive opposes Samsara's requests. Further, should the Board be inclined to grant Samsara's request for a motion to strike, Motive requests authorization to file a motion for Director Review of the Institution Decision.

Samsara's request for authorization to file a motion to strike is an attempt to circumvent the Board's schedule and briefing limits. Samsara had an opportunity to explain its inconsistent claim construction positions in its reply. The Director's guidance in the *Revvo* decision made clear that "when a petitioner takes alternative positions before the Board and a district court, that petitioner should, at a minimum, explain why alternative positions are warranted." See *Revvo Technologies, Inc. v. Cerebrum Sensor Technologies, Inc.*, IPR2025-00632, Paper 20, p.3 (Director Nov. 3, 2025) (precedential) (citing *Cambridge Mobile Telematics, Inc. v. Sfara, Inc.*, IPR2024-00952, Paper 12, p.8–9 (PTAB Dec. 13, 2024) (informative)). On January 15, 2026, Samsara filed in the district court a set of proposed claim constructions, including a construction of the term "predictive model," which is central to issues in this IPR. See EX2007. On February 11, 2026, Samsara filed its reply in this IPR. Samsara chose to ignore the Director's *Revvo* guidance and did not explain why it had taken alternative positions in claim construction in this IPR and in district court. Having failed to provide the required explanation in the reply, Samsara is now seeking a do-over to expand its reply briefing through a motion to strike. Thus, Samsara's request for additional briefing is improper and should be denied.

Further, specifically as to the three reasons Samsara provides requesting authorization for a motion to strike, as Samsara itself argues, Motive's Sur Reply had to be responsive "to Petitioner's reply to the Board's preliminary guidance." See Paper 13 at 6. The Board's preliminary guidance specifically requested the parties to address the construction of "predictive model." See Paper 12 at 9. As of the filing of the Reply, Samsara's claim construction positions were reflected in what has been filed as Exhibit 2007. That Samsara subsequently may have changed and may continue to change its positions in district court is immaterial to its failure to explain its positions at the time it filed the Reply. Samsara's "current" claim construction positions and briefing are not relevant to this issue because Samsara failed to include any explanation of its constructions at the time it filed the reply. Samsara's positions may continue to shift over the course of the litigation in district court but that does not excuse failing to explain what they were at the time it filed the reply. *Second*, Motive's so-called "Revvo arguments" are directly responsive to Samsara's failure to address fully the construction of predictive model specifically requested by the Board's preliminary guidance. Samsara's reply brief criticizes Motive's claim construction positions as narrow but failed to disclose its even narrower constructions adopted in the district court. Thus, the Revvo arguments are clearly appropriate and directly responsive to Samsara's reply

arguments. *Third*, like the changing construction of “predictive model,” Samsara’s construction of the order of the steps may have changed from what it was when it filed the Reply, but again that is immaterial to its failure to explain the constructions when it filed the reply as it was required to do. Motive’s arguments address the arguments made in the reply with the evidence available as of the reply. For example, Case 3:24-cv-00902, Dkt. 172, which is Motive’s claim construction brief, did not exist at the time of the reply nor does it explain Samsara’s actual positions. Motive’s position is that even the new claim constructions Samsara has adopted in district court continue to be inconsistent with arguments it has advanced in this IPR. However, none of these reasons justify Samsara’s failure to explain its positions in the reply or its request for additional briefing.

With respect to the request to expunge EX2007, this exhibit is necessary to make a full record given the arguments and new evidence relied upon by Petitioner in the Reply in violation of the very same instructions from the Board with respect to raising new evidence in a reply.

Scheduling Order (Paper 13 at 6) (“The reply may only respond to the preliminary guidance and may not be accompanied by new evidence.”). The Reply includes a new expert declaration and over 10 new exhibits. Should the Board be inclined to grant Samsara’s request to expunge Exhibit 2007 on these grounds, Motive requests the Samsara’s Exhibits 1062-1085 be similarly expunged for the same reasons.

If the Board deems it necessary or helpful, Motive is available for a conference on these issues at the Board’s convenience.

Respectfully submitted,
Hector Ribera
Counsel for Patent Owner



Hector Ribera

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IPR2025-00574 // U.S. Patent No. 11,875,580

Honorable Board,

Samsara writes to request the Board expunge the unauthorized exhibit (EX2007) that Patent Owner submitted with its Sur-Reply.

Patent Owner was instructed by the Board in the Scheduling Order (Paper 13 at 6) that “[t]he sur-reply may not be accompanied by new evidence.” *See also* 37 C.F.R. § 42.23(b).

Samsara also requests authorization to file a Motion to Strike portions of Motive’s Sur-Reply that relate to Exhibit 2007 and *Revvo*. *See* Paper 24, pp. 1, 3-5, 11, 12.

There are three reasons why a motion to strike is warranted. *First*, Motive’s arguments misstate the district court record because they rely on Exhibit 2007, which does not accurately reflect the claim construction positions Samsara is taking in the district court. *See, e.g., Motive Techs., Inc. v. Samsara Inc.*, Case 3:24-cv-00902, Plaintiff Motive Techs., Inc.’s Opening Claim Construction Brief, Dkt. 172, p. 12 n.3 (Mar. 12, 2026) (“On March 5, 2026, Samsara changed its claim construction proposal for ‘predictive model’ . . . to ‘plain and ordinary meaning.’”). *Second* Motive’s *Revvo* arguments are not responsive to arguments raised in the Petitioner’s Reply and are therefore improper and prejudicial. *See* CTPG, pp. 80-81. Had Motive wanted to raise *Revvo*, it had ample opportunity to do so in its Patent Owner Response. *Third*, Motive’s *Revvo* arguments misstate Samsara’s position about the order of steps in claim 1. *See* Sur-Reply, p. 5. Samsara has consistently maintained that step 1C does not have a required order relative to step 1F. *See* Pet., 28 (arguing that 1C does not require a specific order relative to the manual calibration); Case 3:24-cv-00902, Dkt. 172, p. 15 (same).

Additionally, Samsara requests authorization to file the parties’ claim construction briefing from the district court case, which will provide the Board with the actual claim construction positions the parties have taken in the district court case.

Motive has indicated that it opposes Samsara’s requests. If the Board believes a conference is needed, the parties are available for a Board call.

Best Regards,

Tyler Dutton – Back Up Counsel for Petitioner Samsara



Tyler J. Dutton

Director

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