

OBJECTION TO PETITIONER'S MANDATORY NOTICES

Patent Owner DiStefano Website Innovations, LLC. hereby provides its objection to Petitioner's Request to Updated Mandatory Notices for a New LLC entity dated February 11, 2026 (hereinafter Updated Mandatory Notices) contained in their filed updated Mandatory Notices. It is noted that the Updated Mandatory Notices and this objection were both filed while this IPR was stayed.

I. STATUS OF CASE

Pursuant to the Notice of Decisions on Institution dated December 23, 2025 (Paper 14), institution of *inter partes* review was granted in the present proceeding. However, and with reference to Footnote 1 of this Notice, this proceeding was *stayed* until further notice pending Director Review of the institution decisions in IPR2024-00757, IPR2024- 00759, IPR2024-00760, IPR2024-00767, IPR2024-00768, IPR2024-00769, and IPR2024-00770 (hereinafter the Cellspin Proceedings), which also involve TikTok Inc., the same Petitioner.

II. PATENT OWNER NOT INFORMED OF PETITIONER'S INTENT TO UPDATE MANDATORY NOTICE

Petitioner did not meet and confer with Patent Owner regarding the present request for permission to update Petitioner's Mandatory Notices pursuant to 37 C.F.R. § 42.8, and thus, Patent Owner was not informed of Petitioner's intent to file the request to Updated Mandatory Notices for a new LLC entity. Consequently, Patent Owner believes no changes in Real Parties-In-Interests can be made, nor should be made, since the basis of the Director Review of the institution decision in the Cellspin Proceedings involves a determination regarding the Real Parties-In-Interest (RPIs).

III. STATUS OF CELLSPIN PROCEEDINGS

In an Order dated January 23, 2026 (Paper 38) in the Cellspin Proceedings (e.g., IPR2024-00757), the Director authorized additional briefing regarding Cellspin’s allegations that: TikTok Inc. is controlled by a foreign government that is ineligible to file an *inter partes* review under the Supreme Court’s ruling in *Return Mail, Inc. v. United States Postal Service*, 587 U.S. 618 (2019); and TikTok’s Petitions failed to identify all real parties in interest (“RPI”) as required under 35 U.S.C. § 312(a)(2). While referring to a Director Review decision in *Yangtze Memory Technologies Company, Ltd. v. Micron Technology, Inc.*, IPR2025- 00098, -00099, Paper 38 (Director Jan. 15, 2026) (informative) (“YMTC”), the Director explained that “a petitioner’s failure to provide clarity as to its actual identity proved fatal to its petitions.” *Paper 38* at 2. However, the Director noted that the ownership of TikTok, Inc. has recently changed, and requested additional briefing in view of this change in ownership and the informative YMTC decision. *Id.* at 3.

IV. PETITIONER’S UPDATED MANDATORY NOTICE FAILS TO IDENTIFY ALL RPIs

In the Updated Mandatory Notices, Petitioner requested permission to “update its mandatory notices to identify TikTok USDS Joint Venture LLC as an RPI.” However, even if permitted to do so, TikTok still fails to identify all RPIs. As recognized by the Director in Paper 38 of the Cellspin Proceedings, the entity identified by TikTok (i.e., TikTok USDS Joint Venture LLC) has several major owners. The Director cited a press release dated January 22, 2026, <https://newsroom.tiktok.com/announcement-from-the-new-tiktok-usds-joint-venture-llc?lang=en>, in which TikTok announced:

TikTok USDS Joint Venture has three managing investors, Silver Lake, Oracle and MGX, each holding 15%. Completing the full consortium

of investors are: Dell Family Office, the investment firm of Michael Dell, Founder, Chairman and CEO of Dell Technologies; Vastmere Strategic Investments, LLC, an affiliate of Susquehanna International Group, LLP; Alpha Wave Partners; Revolution; Merritt Way, LLC controlled and managed by partners of Dragoneer; Via Nova, an affiliate of General Atlantic; Virgo LI, Inc., investment arm of a foundation established by Yuri and Julia Milner in support of science; and NJJ Capital, the family office of Xavier Niel, a French entrepreneur and pioneer in telecommunications. ByteDance retains 19.9% of the Joint Venture.

Petitioner's Updated Mandatory Notices fails to identify as being RPIs any of the investors listed in TikTok's announcement regarding TikTok USDS Joint Venture LLC. The parties to the LLC must be listed as RPIs along with the LLC in order to avoid government ownership being cloaked by an LLC.

**V. PATENT OWNER REQUESTS THAT PETITIONER REVISE THE
UPDATED MANDATORY NOTICES TO IDENTIFY ALL RPIS**

Patent Owner objects to the Updated Mandatory Notices and requests that if the Board allows Petitioner to submit a revised Updated Mandatory Notices pursuant to 37 C.F.R. § 42.8, it include all RPIS – including those previously identified by TikTok as owners of TikTok USDS Joint Venture LLC.

Date: May 12, 2026

Respectfully submitted,

/s/ Gregory B. Gulliver

Gregory B. Gulliver
Reg. No. 44,138
ADDYHART P.C.
10 Glenlake Parkway
Suite 130
Atlanta, Georgia 30328
312.320.4200
meredith@addyhart.com

Counsel for Patent Owner

CERTIFICATE OF SERVICE (37 C.F.R.SEC 42.6(e)(1))

The undersigned hereby certifies that the above document was served on May 12, 2026, by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as delivering a copy via electronic mail upon the following attorneys of record for Petitioners:

Jaysen S. Chung	JSChung@gibsondunn.com
Shuo Josh Zhang	szhang@gibsondunn.com
Service Information	GDC-TikTok-DiStefano@gibsondunn.com

/s/ Gregory B. Gulliver
Gregory B. Gulliver

Attorney for Patent Owner
Distefano Website Innovations, LLC