UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

WILUS INSTITUTE OF STANDARDS AND TECHNOLOGY INC.,
Patent Owner

Case IPR2025-01111
U.S. Patent No. 10,911,186

PETITIONER'S REPLY TO PATENT OWNER'S SUPPLEMENTAL BRIEF

EXHIBITS

SAMSUNG-1001	U.S. Patent No. 10,911,186 to Ahn, et al. ("the '186 Patent")
SAMSUNG-1002	Excerpts from the Prosecution History of the '186 Patent ("the Prosecution History")
SAMSUNG-1003	Declaration and Curriculum Vitae of Dr. Zhi Ding
SAMSUNG-1004	Complaint, *Wilus Institute of Standards and Technology Inc., v. Samsung Electronics Co., Ltd., et al.*, 2-25-cv-00070 (EDTX) filed January 23, 2025
SAMSUNG-1005	Korean Application No. 10-2015-0030369
SAMSUNG-1006	Translation and Certificate of Translation for SAMSUNG-1005
SAMSUNG-1007	Korean Application No. 10-2015-0036754
SAMSUNG-1008	Translation and Certificate of Translation for SAMSUNG-1007
SAMSUNG-1009	Korean Application No. 10-2015-0066670
SAMSUNG-1010	Translation and Certificate of Translation for SAMSUNG-1009
SAMSUNG-1011	PCT Application No. PCT/KR2016/002199
SAMSUNG-1012	Translation and Certificate of Translation for SAMSUNG-1011
SAMSUNG-1013	U.S. Patent No. 10,305,638 ("Ahn")
SAMSUNG-1014	U.S. Patent Publication No. 2019/0357256 ("Kim")
SAMSUNG-1015	U.S. Patent Publication No. 2015/0131517 ("Chu")
SAMSUNG-1016	U.S. Patent Publication No. 2015/0230244 ("Choi")
SAMSUNG-1017	*Fintiv* Stipulation
SAMSUNG-1018	Translation and Certificate of Translation for PCT Application No. PCT/KR2018/000340
SAMSUNG-1019	RESERVED

SAMSUNG-1020 IEEE 802.11-2012

SAMSUNG-1021 IEEE 802.11-16/0368r0

SAMSUNG-1022 IEEE 802.11-16/0949r2

SAMSUNG-1023 TO SAMSUNG-1100 RESERVED

SAMSUNG-1101 Memorandum from Coke Morgan Stewart, Acting Dir., USPTO, to All PTAB Judges (Mar. 26, 2025), https://www.uspto.gov/sites/default/files/documents/InterimProcesses-PTABWorkloadMgmt-20250326.pdf

SAMSUNG-1102 TO SAMSUNG-1105 RESERVED

SAMSUNG-1106 Order Granting Stay in *Maxeon Solar PTE. LTD. v. Hanwha Solutions Corp.*, No. 2:24-CV-00262-JRG (E.D. Tex. May 5, 2025) (Gilstrap, J.)

SAMSUNG-1107 Order Granting Stay in *Cellspin Soft, Inc. v. Bytedance Ltd.*, No. 2:23-CV-00496-JRG-RSP (E.D. Tex. Jan. 26, 2025) (Payne, J.)

SAMSUNG-1108 Motion Success for Stay Pending IPR (Post-Institution) (E.D. Tex.), DOCKETNAVIGATOR (last visited August 27, 2025)

SAMSUNG-1109 LegalMetric, Individual Judge Report for Judge James Rodney Gilstrap Patent Cases December 2011 to January 2025

SAMSUNG-1110 RESERVED

SAMSUNG-1111 U.S. District Court for the Eastern District of Texas Calendar Events Set for 6/1/2026 for Judge Rodney Gilstrap

SAMSUNG-1112 RESERVED

SAMSUNG-1113 Wi-Fi 6 Patent Brochure, SISVEL (Mar. 21, 2025), https://www.sisvel.com/xlin7ipl485u/1kNkzUZptdvqKbYiX1DSfi/f518e18ee158be974d3c83f7cd7173be/Wi-Fi_6_Pool_patent_brochure.pdf

SAMSUNG-1114 TO SAMSUNG-1117 RESERVED

SAMSUNG-1118 Yasuhiko Inoue, *IEEE 802.11 TGax March 2015 Berlin*

Meeting Minutes (Mar. 31, 2015) IEEE 802.11-15/0309r1

SAMSUNG-1119 TO SAMSUNG-1121 RESERVED

SAMSUNG-1122 U.S. District Court – Judicial Caseload Profile (E.D. Tex), ADMIN. OFF. U.S. CTS. (June 2025)

SAMSUNG-1123 RESERVED

SAMSUNG-1124 Yasuhiko Inoue, *IEEE 802.11 TGax May 2015 Vancouver Meeting Minutes* (May 26, 2015) IEEE 802.11-15/0622r0

SAMSUNG-1125 RESERVED

SAMSUNG-1126 Yasuhiko Inoue, *IEEE 802.11 TGax March 2016 MacauMeeting Minutes* (Mar. 31, 2016) IEEE 802.11-16/0415r0

SAMSUNG-1127 Yasuhiko Inoue, *IEEE 802.11 TGax January 2018 Irvine Meeting Minutes* (Feb. 14, 2018) IEEE 802.11-18/0213r0

SAMSUNG-1128 TO SAMSUNG-1129 RESERVED

SAMSUNG-1130 E-mail authorizing briefing

SAMSUNG-1131 TO SAMSUNG-1133 RESERVED

SAMSUNG-1134 Email to James Tsuei dated November 13, 2025 re P.R. 4-2 disclosure from Petitioner's District Court Counsel

SAMSUNG-1135 Defendants' P.R. 4-1 Exchange of Proposed Terms And Claim Elements for Construction

As shown below, Petitioner is **not** taking inconsistent claim construction positions in this IPR and the parallel district court case. Both proceedings apply the plain and ordinary meaning to all claims, and Petitioner does not assert indefiniteness for any claim term. Patent Owner's attempt to leverage preliminary submissions in district court to attain non-institution of this IPR should be dismissed.

I. District Court Posture and Construction Deadlines

The Docket Control Order (EX2001) set claim construction deadlines as:

- Oct. 23, 2025: P.R. 4-1 (Exchange Proposed Claim Terms);
- Nov. 13, 2025: P.R. 4-2 (Exchange Preliminary Claim Constructions);
- Dec. 4, 2025: P.R. 4-3 (Joint Claim Construction Statement); and
- Jan.-Feb. 2026: Briefing and Hearing.

EX2001, 5-6. As indicated by the schedule above, the district court case is still in its infancy and the parties have not filed claim construction briefs. Instead, only a *preliminary* proposal of claim terms has been exchanged. Specifically, on October 23, 2025 (approximately four months after the petition was filed), Petitioner/Defendant *preliminarily* identified a set of claim terms from the '186 patent as potentially indefinite to comply with the P.R. 4-1 *proposed* claim terms deadline. SAMSUNG-1135, 2-3. Petitioner/Defendant also expressly noted that "Defendants reserve the right to modify the list" and that "Defendants anticipate that the parties may be able to narrow the list of terms and phrases to be construed during the process culminating

in the preparation of a joint claim construction and prehearing statement pursuant to Patent Rule 4-3 and the Court's Docket Control Order." *Id.*, 2.

On Nov. 13, 2025, to comply with the P.R. 4-2 *preliminary* construction deadline, Petitioner agreed to "***withdraw … contentions as to indefiniteness for all claim terms***" and proposed that all terms "***be given their plain and ordinary meaning***." SAMSUNG-1134, 1. Patent Owner likewise proposed no constructions. *Id.* Accordingly, in the district court proceeding, Petitioner is not proposing any construction or advancing any assertion that any of the '186 patent claims are indefinite. To the extent Patent Owner asserts that even Petitioner's current claim construction positions are preliminary, Petitioner confirms and further stipulates that Petitioner will not pursue any position that any of the '186 patent claims are indefinite.

II. The Petition's Claim Construction Posture

Consistent with the district court, the Petition asserted that no constructions were necessary, stating:

> **Petitioner submits that no formal claim constructions are necessary** because "claim terms need only be construed to the extent necessary to resolve the controversy." *Wellman, Inc. v. Eastman Chem. Co.*, 642 F.3d 1355, 1361 (Fed. Cir. 2011). Petitioner reserves the right to respond to any constructions offered by Patent Owner or adopted by the Board. Paper 2 (Petition), 1-2.

III. Patent Owner's Allegations of Inconsistency Lack Merit

The district court and PTAB records are clear. In both proceedings, Petitioner has taken the position that no construction is necessary—consistent with Patent Owner's position. Patent Owner's entire premise for this requested briefing stems from a *preliminary*, *non-binding* submission of terms that were merely *proposed* for construction—*i.e.*, a submission that Petitioner noted multiple times (e.g., in the October 23 P.R. 4-1 submission and in Patent Owner's email to the Board) were *preliminary* and therefore subject to modification. SAMSUNG-1130, 2; SAMSUNG-1135, 2. And even after Petitioner made its position clear to Patent Owner in its P.R. 4-2 disclosure on November 13 that Petitioner is not pursuing *any* constructions in the district court, Patent Owner continues to pursue allegations that misrepresent Petitioner's position. To the extent Patent Owner faults Petitioner for exploring a preliminary indefiniteness position, Petitioner preliminarily identified terms for which Petitioner was reviewing the prescribed range and outer bounds of the range, and subsequently informed Patent Owner that no indefiniteness position would be taken. *See* IPR2025-00340 (*Tesla*), Paper 18, 3-4.

Revvo and *Tesla* are simply not relevant here because Petitioner's claim construction positions in both proceedings are consistent and do not include indefiniteness. Patent Owner's attempt to distract from the strong merits of this case should not be rewarded. *Revvo*/*Tesla* are immaterial and IPR should be instituted.

Respectfully submitted,

Dated November 25, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on November 25, 2025, a complete and entire copy of this Petitioner's Reply to Patent Owner's Supplemental Brief and Accompanying Exhibits were provided by email to the Patent Owner by serving the correspondence email address of record as follows:

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