Diana Bradley

From: Trials <Trials@USPTO.GOV>
Sent: Monday, November 17, 2025 9:37 AM
To: Jeremy Monaldo; Trials; nrubin@raklaw.com
Cc: Karl Renner; Jennifer Huang; John Phillips; Usman Khan; Jonathan Driesslein; Nicholas Stephens; Kim Leung; Jong Wan Suh; Daniel Jang; Richard Wong; IPR39843-0196IP1; IPR39843-0197IP1; IPR39843-0194IP1; IPR39843-0200IP1; IPR39843-0198IP1; IPR39843-0199IP1; IPR39843-0193IP1; IPR39843-0202IP1; IPR39843-0204IP1; IPR39843-0203IP1; IPR39843-0201IP1; PTAB Inbound; RAK Wilus
Subject: RE: Samsung v. Wilus - IPR2025-01069, -01110, -01111, -01164, -01165 - requests for supplemental briefing

Counsel,

With respect to the IPR2025-01110 and IPR2025-01111 cases, the briefing is still authorized and should be used to enter into the record evidence reflecting contentions of indefiniteness in the district court that bear on institution.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
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UNITED STATES PATENT AND TRADEMARK OFFICE

From: Jeremy Monaldo <Monaldo@fr.com>
Sent: Friday, November 14, 2025 8:36 AM
To: Trials <Trials@USPTO.GOV>; nrubin@raklaw.com
Cc: Karl Renner <renner@fr.com>; Jennifer Huang <jhuang@fr.com>; John Phillips <phillips@fr.com>; Usman Khan <khan@fr.com>; Jonathan Driesslein <driesslein@fr.com>; Nicholas Stephens <nstephens@fr.com>; Kim Leung <Leung@fr.com>; Jong Wan Suh <suh@fr.com>; Daniel Jang <djang@fr.com>; Richard Wong <rwong@fr.com>; IPR39843-0196IP1 <IPR39843-0196IP1@fr.com>; IPR39843-0197IP1 <IPR39843-0197IP1@fr.com>; IPR39843-0194IP1 <IPR39843-0194IP1@fr.com>; IPR39843-0200IP1 <IPR39843-0200IP1@fr.com>; IPR39843-0198IP1 <IPR39843-0198IP1@fr.com>; IPR39843-0199IP1 <IPR39843-0199IP1@fr.com>; IPR39843-0193IP1 <IPR39843-0193IP1@fr.com>; IPR39843-0202IP1 <IPR39843-0202IP1@fr.com>; IPR39843-0204IP1 <IPR39843-0204IP1@fr.com>; IPR39843-0203IP1 <IPR39843-0203IP1@fr.com>; IPR39843-0201IP1 <IPR39843-0201IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; RAK Wilus <rak_wilus@raklaw.com>
Subject: RE: Samsung v. Wilus - IPR2025-01069, -01110, -01111, -01164, -01165 - requests for supplemental briefing

SAMSUNG 1130
Samsung v. Wilus
IPR2025-01111

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Honorable Director and Members of the Board:

Petitioner Update: As an update to the below emails related to IPR2025-01110, -01111, -01164, and -01165, Defendants in the co-pending litigation submitted P.R. 4-2 disclosures yesterday withdrawing all contentions of indefiniteness. Instead, Defendants in the co-pending litigation have taken the position that all terms should be given their plain and ordinary meaning and, as such, do not require construction. Petitioner believes that the P.R. 4-2 disclosures render moot Patent Owner's requests for briefing in IPR2025-01110, -01111, -01164, and -01165.

Patent Owner Response: Patent Owner disagrees with Petitioner's position that supplemental briefing in IPR2025-01110, -01111, -01164, and -01165 is moot. Petitioner stated in disclosures mandated by the district court's local patent rules that it contended that at least one claim of each of the patents at issue in these IPRs is indefinite and that it would be seeking to have the district court hold that the claims were invalid as indefinite. Yesterday, on the day that Patent Owner's disclosure of proposed constructions for the purportedly indefinite terms were due, Petitioner informed Patent Owner that it was withdrawing its contentions of indefiniteness. Patent Owner believes that Petitioner's contentions that challenged claims are indefinite in district court are relevant to the institution decision under *Tesla v. Intellectual Ventures II* and related cases and that the Board would benefit from supplemental briefing on this issue. Patent Owner requests that the Board's authorizations for supplemental briefing on this issue in IRP2025-01110 and -01111 remain in effect and that the still pending requests in IPR2025-01164 and -01165 be granted.

Respectfully submitted,
Jeremy Monaldo

Jeremy Monaldo
Principal ■ Fish & Richardson P.C.

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From: Trials <Trials@USPTO.GOV>
Sent: Thursday, November 13, 2025 3:55 PM
To: Jeremy Monaldo <Monaldo@fr.com>; nrubin@raklaw.com; Trials <Trials@USPTO.GOV>
Cc: Karl Renner <renner@fr.com>; Jennifer Huang <jhuang@fr.com>; John Phillips <phillips@fr.com>; Usman Khan <khan@fr.com>; Jonathan Driesslein <driesslein@fr.com>; Nicholas Stephens <nstephens@fr.com>; Kim Leung <Leung@fr.com>; Jong Wan Suh <suh@fr.com>; Daniel Jang <djang@fr.com>; Richard Wong <rwong@fr.com>; IPR39843-0196IP1 <IPR39843-0196IP1@fr.com>; IPR39843-0197IP1 <IPR39843-0197IP1@fr.com>; IPR39843-0194IP1 <IPR39843-0194IP1@fr.com>; IPR39843-0200IP1 <IPR39843-0200IP1@fr.com>; IPR39843-0198IP1 <IPR39843-0198IP1@fr.com>; IPR39843-0199IP1 <IPR39843-0199IP1@fr.com>; IPR39843-0193IP1 <IPR39843-0193IP1@fr.com>; IPR39843-0202IP1 <IPR39843-0202IP1@fr.com>; IPR39843-0204IP1 <IPR39843-0204IP1@fr.com>; IPR39843-0203IP1 <IPR39843-0203IP1@fr.com>; IPR39843-0201IP1 <IPR39843-0201IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; RAK Wilus <rak_wilus@raklaw.com>
Subject: RE: Samsung v. Wilus - IPR2025-01069, -01110, -01111, -01164, -01165 - requests for supplemental briefing

Counsel,

In each of IPR2025-01069, IPR2025-01110, and IPR2025-01111, Patent Owner is authorized to file a 3-page paper due no later than November 19, 2025, limited to addressing the issues identified below. Petitioner is authorized to file a 3-page responsive paper, due no later than November 25, 2025, limited to addressing the same issues in each case.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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UNITED STATES PATENT AND TRADEMARK OFFICE

From: Jeremy Monaldo <Monaldo@fr.com>
Sent: Wednesday, November 12, 2025 9:52 AM
To: nrubin@raklaw.com; Trials <Trials@USPTO.GOV>
Cc: Karl Renner <renner@fr.com>; Jennifer Huang <jhuang@fr.com>; John Phillips <phillips@fr.com>; Usman Khan <khan@fr.com>; Jonathan Driesslein <driesslein@fr.com>; Nicholas Stephens <nstephens@fr.com>; Kim Leung <Leung@fr.com>; Jong Wan Suh <suh@fr.com>; Daniel Jang <djang@fr.com>; Richard Wong <rwong@fr.com>; IPR39843-0196IP1 <IPR39843-0196IP1@fr.com>; IPR39843-0197IP1 <IPR39843-0197IP1@fr.com>; IPR39843-0194IP1 <IPR39843-0194IP1@fr.com>; IPR39843-0200IP1 <IPR39843-0200IP1@fr.com>; IPR39843-0198IP1 <IPR39843-0198IP1@fr.com>; IPR39843-0199IP1 <IPR39843-0199IP1@fr.com>; IPR39843-0193IP1 <IPR39843-0193IP1@fr.com>; IPR39843-0202IP1 <IPR39843-0202IP1@fr.com>; IPR39843-0204IP1 <IPR39843-0204IP1@fr.com>; IPR39843-0203IP1 <IPR39843-0203IP1@fr.com>; IPR39843-0201IP1 <IPR39843-0201IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; RAK Wilus <rak_wilus@raklaw.com>
Subject: RE: Samsung v. Wilus - IPR2025-01069, -01110, -01111, -01164, -01165 - requests for supplemental briefing

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Honorable Director and Members of the Board:

Petitioner Update: As an update to the below email related to IPR2025-01069, Petitioner's litigation counsel has informed Patent Owner that the Defendants have withdrawn from co-pending litigation all contentions as to indefiniteness for the disputed terms of the '077 patent. Instead, Defendants in the co-pending litigation propose these terms should be given their plain and ordinary meaning and, as such, do not require construction.

Patent Owner Response: Petitioner's counsel emailed Patent Owner's counsel last night to inform them of Petitioner's change in position in the district court litigation and their intent to notify the Director and

Board of this development. Patent Owner maintains its request for supplemental briefing in IPR2025-01069 to address the implications of Petitioner's claim construction positions for the upcoming decision on institution.

Respectfully submitted,
Jeremy Monaldo

Jeremy Monaldo
Principal ■ Fish & Richardson P.C.

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From: Neil Rubin <nrubin@raklaw.com>
Sent: Monday, November 10, 2025 10:35 AM
To: Trials <trials@uspto.gov>
Cc: Karl Renner <renner@fr.com>; Jennifer Huang <jhuang@fr.com>; John Phillips <phillips@fr.com>; Usman Khan <khan@fr.com>; Jonathan Driesslein <driesslein@fr.com>; Nicholas Stephens <nstephens@fr.com>; Kim Leung <Leung@fr.com>; Jong Wan Suh <suh@fr.com>; Daniel Jang <djang@fr.com>; Richard Wong <rwong@fr.com>; IPR39843-0196IP1 <IPR39843-0196IP1@fr.com>; IPR39843-0197IP1 <IPR39843-0197IP1@fr.com>; IPR39843-0194IP1 <IPR39843-0194IP1@fr.com>; IPR39843-0200IP1 <IPR39843-0200IP1@fr.com>; IPR39843-0198IP1 <IPR39843-0198IP1@fr.com>; IPR39843-0199IP1 <IPR39843-0199IP1@fr.com>; IPR39843-0193IP1 <IPR39843-0193IP1@fr.com>; IPR39843-0202IP1 <IPR39843-0202IP1@fr.com>; IPR39843-0204IP1 <IPR39843-0204IP1@fr.com>; IPR39843-0203IP1 <IPR39843-0203IP1@fr.com>; IPR39843-0201IP1 <IPR39843-0201IP1@fr.com>; PTAB Inbound <PTABInbound@fr.com>; RAK Wilus <rak_wilus@raklaw.com>
Subject: Samsung v. Wilus - IPR2025-01069, -01110, -01111, -01164, -01165 - requests for supplemental briefing

[This email originated outside of F&R.]

Honorable Director and Members of the Board:

Patent Owner Wilus respectfully requests leave to file a 3-page paper, along with supporting documents evidencing petitioner Samsung's district court claim construction positions, in each of IPR2025-01069, IPR2025-01110, IPR2025-01111, IPR2025-01164, and IPR2025-01165, in order to address the implications of the Director's recent decisions in *Revvo v. Cerebrum*, IPR2025-00632 (Precedential) and *Tesla v. Intellectual Ventures II*, IPR2025-00340 (Informative). Each of these 5 IPRs is currently pending and awaiting an institution decision. For each of the 5 patents that are the subject of these IPRs, petitioner Samsung is contending in district court that one or more of the claims challenged in the corresponding IPR is indefinite.

Under similar circumstances in *Revvo* and *Tesla*, the Director vacated institution decisions. Accordingly, Wilus believes that it would be beneficial for the Director and Board to consider Samsung's district court claim construction positions prior to deciding whether to institute these IPRs. Supplemental briefing is justified because the Revvo and Tesla precedents issued less than one week ago, and because in the

case of the patents challenged in IPR2025-01110, IPR2025-01111, IPR2025-01164, and IPR2025-01165, Samsung only disclosed its positions in district court that challenged claims were indefinite on October 23, after the deadline for Wilus's preliminary responses. Wilus would not oppose Samsung being given an opportunity to respond to Wilus's supplemental briefing.

Petitioner's Position: Petitioner reminded Patent Owner that detailed messages to the Board seeking redress must not include substantive argument. Nevertheless, Patent Owner included improper argument in its request. If the Board is inclined to consider it, Petitioner provides the following response. Petitioner opposes Patent Owner's requests for briefing because they are premature. For the co-pending litigation in IPR2025-01069, Petitioner's claim construction brief is not due until November 18, Patent Owner's final election of claims is not due until December 5, and the Markman hearing is not scheduled until December 16. For IPR2025-01110, IPR2025-01111, IPR2025-01164, and IPR2025-01165, the parties have only exchanged a preliminary list of terms for construction where Petitioner has "reserve[d] the right to modify the list." Preliminary claim constructions are not even due until November 13. To the extent Patent Owner is granted briefing, Petitioner requests an equal length reply.

The parties are available for a conference call between 12:30 to 1:00 pm and 3:00 to 5:00 pm ET on 11/12 or 12:30 to 5:00 pm on 11/13 or at such other time as the Board may wish to conduct a call.

Neil A. Rubin

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