From: **Neil Rubin** nrubin@raklaw.com
Subject: Samsung v. Wilus IPRs - requests for supplemental briefing
Date: November 5, 2025 at 10:57 PM
To: W. Karl Renner renner@fr.com, Jeremy J. Monaldo jjm@fr.com, Jennifer J. Huang jjh@fr.com, John C. Phillips phillips@fr.com, Usman A. Khan khan@fr.com, Jonathan C. Driesslein driesslein@fr.com, Nicholas W. Stephens nstephens@fr.com, Kim H. Leung leung@fr.com, Jong Wan Suh suh@fr.com, Daniel Jang djang@fr.com, Richard Wong rwong@fr.com, IPR39843-0196IP1@fr.com, IPR39843-0197IP1@fr.com, IPR39843-0194IP1@fr.com, IPR39843-0200IP1@fr.com, IPR39843-0198IP1@fr.com, IPR39843-0199IP1@fr.com, IPR39843-0193IP1@fr.com, IPR39843-0202IP1@fr.com, IPR39843-0204IP1@fr.com, IPR39843-0203IP1@fr.com, IPR39843-0201IP1@fr.com, PTABInbound@fr.com
Cc: RAK Wilus rak_wilus@raklaw.com

Counsel:

Patent Owner Wilus plans to request leave from the Board to submit supplemental briefing in each of the Samsung IPRs where the institution decision is pending, in order to address the implications of the Director's recent decisions in *Revvo v. Cerebrum*, IPR2025-00632 (Precedential) and *Tesla v. IV II*, IPR2025-00340 (Informative). We intend to send the following email to the Board no later than this Friday. Please provide any insert by noon PT on Friday.

> Honorable Director and Members of the Board:
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> Patent Owner Wilus respectfully requests leave to file a 5-page paper, along with supporting documents evidencing petitioner Samsung's district court claim construction positions, in each of IPR2025-00933, IPR2025-00935, IPR2025-00936, IPR2025-00988, IPR2025-01043, IPR2025-01044, 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. IV II*, IPR2025-00340 (Informative). Each of these 11 IPRs is currently pending an institution decision. For each of the 11 patents that are the subject of these IPR, petitioner Samsung is contending that one or more of the claims challenged in the corresponding IPR is indefinite. In certain instances, Samsung is also taking other claim construction positions in district court that are inconsistent with positions in their IPR petitions.
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> 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 just this week, and because in the case of the patents challenged in IPR2025-01110, IPR2025-01111, IPR2025-01164, and IPR2025-01165, Samsung only disclosed its positions 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.
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> The parties have conferred, and Samsung [opposes / does not oppose] these requests. Wilus is available for a conference call between 12:30 and 5:00 pm ET on 11/10 or 11/12 or at such other time as the Board may wish to conduct a call.

Neil A. Rubin

RUSS AUGUST & KABAT | 12424 Wilshire Boulevard, 12th Floor | Los Angeles, CA 90025
Main +1 310 826 7474 | Direct +1 310 979 8252 | nrubin@raklaw.com | www.raklaw.com