

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHENZHEN RONGLIDA TECHNOLOGY CO., LTD.

Petitioner

v.

PATHWAY IP LLC

Patent Owner

Case No. IPR2025-01231

U.S. Patent No. 7,841,729

**PETITIONER'S OPPOSITION TO
PATENT OWNER'S MOTION FOR ADDITIONAL DISCOVERY**

Petitioner responds to Patent Owner's Motion for Additional Discovery (Paper 23, the "Motion") pursuant to the schedule authorized in the ORDER - Conduct of the Proceeding dated June 3, 2026 (Paper 24).

As discussed on the conference call dated May 21, 2026, Petitioner is willing to make Qingqing Duan, the successor-in-interest (and prior signatory of the powers of attorney for Shenzhen Ronglida Technology Co., Ltd.), available for deposition to address the real-party-in-interest ("RPI") issues and topics Patent Owner has raised. Petitioner is willing to make Ms. Duan available for deposition on the topics requested in Patent Owner's Motion. However, Petitioner does not agree to waive any applicable privilege or immunity as to any subject matter, and Patent Owner has cited no authority supporting a compulsory waiver.

This position is consistent with the Board's decision in *Intel Corp. and Cavium, LLC v. Alacritech, Inc.*, where the Board granted the patent owner's requested discovery because "the request explicitly contemplates that Petitioner shall provide a privilege log for any document that Petitioner withholds on the basis of privilege, and we, accordingly, do not understand the request to require production of privileged documents or attorney work-product." IPR2018-00226, Paper 31 (PTAB Nov. 19, 2018).

Likewise, in *Kashiv Pharma, LLC v. Purdue Pharma L.P.*, the Board did not compel the petitioner to waive any applicable privilege. To the contrary, the Board

stated that “[t]he parties are expected to meet and confer in good faith as to any limitations and procedures for the depositions, which shall take place no later than August 10, 2018.” IPR2018-00625, Paper 20, at 5 (PTAB July 31, 2018). *Kashiv* does not stand for the proposition that RPI discovery requires waiver of the attorney-client privilege, work-product protection, or any other applicable protection.

Patent Owner’s Motion does not sufficiently account for this distinction and instead repeatedly makes broad statements without acknowledging the difference between privileged or work-product-protected materials and non-privileged factual materials. *See, e.g.*, Motion at 5. Petitioner presumes Patent Owner was not attempting to mislead the Board, but consistent with the actual holdings of the cited cases, Petitioner is willing to make Ms. Duan available for deposition on the requested topics as to non-privileged and otherwise non-protected subject matter.

With regard to Patent Owner’s requests for production (Ex. 2042), Petitioner is willing to produce responsive materials, to the extent such materials exist, but will not produce privileged or otherwise protected materials absent an explicit order from the Board. Because Patent Owner cites no authority requiring production of privileged materials, despite its overbroad characterization of *Intel* and *Kashiv*, and because the Board stated that it is holding in abeyance the requests in the Appendix to Patent Owner’s Motion (Paper 23), Petitioner contends that the Motion should be granted only as to non-privileged and otherwise non-protected materials responsive

to the Requests for Production contained in Exhibit 2042.

Lastly, and briefly, Petitioner addresses Patent Owner's reliance on *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015). Paper 68 in *Corning Optical* is a Decision Granting a Motion to Dismiss, not an order on a motion for additional discovery. *Id.* The discovery provided by the petitioner in that case consisted of voluntary responses. Whether Corning chose to waive privilege, or did not believe the produced information was privileged, does not require the granting of Patent Owner's Motion as to privileged or otherwise protected matters here. This is another instance in which Patent Owner stretches the applicability of the cases on which it relies. Motion at 8.

While the Director recently re-designated *Corning Optical* as precedential, nothing in Patent Owner's Motion involves national security or allegations that Petitioner, or any alleged real party in interest, is a state actor acting on behalf of the Chinese government. The challenged patent relates to a ring camera for creating social media posts, not to high-technology subject matter that would implicate national security, safety, or similar concerns. Patent Owner's broader litigation objectives do not transform this private commercial dispute into a case implicating the Director's concerns articulated in October 2025. Particularly where Petitioner has offered to respond to Patent Owner's requests with non-privileged information, the re-designation of *Corning Optical* does not compel discovery beyond what

Petitioner has agreed to provide.

The Motion is agreed to in part. To the extent Patent Owner seeks privileged or otherwise protected information, the Motion should be denied.

Respectfully submitted,

Date: June 12, 2026

/Raymond Y. Chan/
Raymond Y. Chan
Reg. No. 37,484
Attorney for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on June 12, 2026, a complete and entire copy of this PETITIONER'S OPPOSITION TO PATENT OWNER'S MOTION FOR ADDITIONAL DISCOVERY was provided via email to Patent Owner by serving the correspondence addresses of record as follows:

A. Justin Poplin
Avek IP, LLC
7285 W. 132nd St., Suite 340
Overland Park, KS 66213
Phone: (913) 303-3841
Fax: (913) 369-7222
jpoplin@avekip.com

Hissan Anis
Avek IP, LLC
7285 W. 132nd St., Suite 340
Overland Park, KS 66213
Phone: (913) 303-3842
Fax: (913) 369-7222
hanis@avekip.com

Date: June 12, 2026

/Raymond Y. Chan/
Raymond Y. Chan
Reg. No. 37,484
Attorney for Petitioner