

From: [Trials](#)
To: [Weed, Benjamin](#); [Justin Poplin](#); [Trials](#)
Cc: [Hissan Anis](#); [Wang, Wei](#); [Chan, Raymond](#)
Subject: RE: IPR2025-01231 — Patent Owner Request for Conference Call (Motion for Sanctions; Deadline for Motion to Terminate)
Date: Wednesday, September 2, 2026 1:01:28 PM
Attachments: [image002.png](#)
[image003.png](#)

Counsel

Patent Owner's requests for a conference call at this time and to extend the September 4, 2026 deadline are denied.

After Petitioner files its Opposition on or before September 25, 2026, the parties may jointly email the Board regarding the remaining requests and scheduling of a conference call.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Weed, Benjamin <ben.weed@glacier.law>
Sent: Tuesday, September 1, 2026 8:11 PM
To: Justin Poplin <JPoplin@avekip.com>; Trials <Trials@USPTO.GOV>
Cc: Hissan Anis <HANis@avekip.com>; Wang, Wei <wei.wang@glacier.law>; Chan, Raymond <raymond.chan@glacier.law>
Subject: Re: IPR2025-01231 — Patent Owner Request for Conference Call (Motion for Sanctions; Deadline for Motion to Terminate)

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Dear Board,

I am backup counsel for Petitioner in the above-captioned proceeding. I was traveling on a delayed flight to Delaware today for a claim construction hearing tomorrow, and as such did not have time to respond to Mr. Poplin, whose first email (referenced below) came 6 hours before the email he unilaterally sent to the Board at 5:44pm. Notably, and as referenced in Ex. 2046, the deposition of Ms. Duan that Mr. Poplin references in the below email occurred nineteen (19) days ago on August 13, 2026.

While Petitioner vehemently disagrees that any sanction is appropriate, or that there has been any failure to name an RPI, Petitioner believes that the appropriate approach here is to continue on the schedule set by the Board in Paper 29. There is no reason to delay that filing, or to engage in additional briefing, particularly given Patent Owner's delay in bringing this issue to the Board following Ms. Duan's deposition.

Unfortunately, given the above-referenced claim construction hearing in Delaware, Petitioner is not available tomorrow during the business day eastern time. Petitioner can be available before 10:00 am eastern time on Thursday, September 3, 2026, and between noon and 1:00pm eastern on Friday, September 4, 2026 (during a lunch break in a deposition in another matter).

Ben

From: Justin Poplin <JPoplin@avekip.com>

Date: Tuesday, September 1, 2026 at 5:44 PM

To: Trials <trials@uspto.gov>

Cc: Hissan Anis <HAnis@avekip.com>, "Wang, Wei" <wei.wang@glacier.law>, "Weed, Benjamin" <ben.weed@glacier.law>, "Chan, Raymond" <raymond.chan@glacier.law>

Subject: RE: IPR2025-01231 — Patent Owner Request for Conference Call (Motion for Sanctions; Deadline for Motion to Terminate)

Dear Board,

Patent Owner Pathway IP LLC requests a conference call to seek authorization to file a motion for sanctions under 37 C.F.R. §§ 42.11 and 42.12, and to address the September 4, 2026 deadline for the motion to terminate authorized in Paper 29.

The discovery the Board authorized has disclosed that payment for this case came from a third party with no writing or repayment terms; that checks to counsel read "IPR for PT US7841729 (Neewer)" and "For Neewer IPR US 7,841,729;" that Ronglida never had an employee and its registered capital was not actually paid or contributed; and that no

engagement letter exists between Ronglida (or Ms. Duan) and counsel. Further, in Ms. Duan's deposition, she admitted that the General Manager of Shenzhen Neewer Technology Co., Ltd. and the representative of a co-defendant in the parallel district court action (iphotoxx) received the IPR petition before it was filed and that communication with counsel occurred through on a WeChat group chat that included those individuals – even though Petitioner had just represented through counsel in response to the discovery order that there was only one recipient of the draft IPR petition and that no documents exist which reflect communication with Shenzhen Neewer concerning a challenge to the '729 Patent. After the fabrications were uncovered at the deposition, Petitioner still refuses to provide responsive documents and now claims a joint defense privilege. Petitioner's counsel was directly involved with the communications at issue and expressly provided false responses.

Patent Owner seeks an order establishing that Shenzhen Neewer and iphotoxx are real parties in interest, preclusion from contesting that finding, correction of Petitioner's mandatory notices with the proceeding continuing to a final written decision, compensatory expenses, and, in the alternative, judgment in the trial under 37 CFR 42.12(b)(8). Patent Owner seeks dismissal of the Petition only as a last alternative, as that remedy falls far short given the facts of this case.

Because the relief set forth above is Patent Owner's preferred remedy and the authorized motion to terminate is due September 4, 2026, Patent Owner also requests that the Board defer or extend the September 4 deadline so both matters may be briefed together, or confirm that Patent Owner may present the motion to terminate on September 4 as an alternative to the preferred relief.

Petitioner's position on this request is unknown. I emailed twice today but have not received a response. Plaintiff is available any time tomorrow, September 2.

JUSTIN POPLIN

PRINCIPAL, ATTORNEY

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