

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

3D Systems Corporation et al.,

Petitioner

v.

Intrepid Automation, Inc.,
Patent Owner.

Inter Partes Review (IPR) Proceeding Number: 2025-01241
U.S. Patent No. 11,014,301

Exhibit Number: **Exhibit 1028 for Petitioner**

Exhibit Title: Defendants 3D Systems Corporation and
3D Systems, Inc.'s Notice Relating to Inter Partes
Review (IPR) Petitions of U.S. Patent Nos. 11,014,301
('301 PATENT) AND 11,338,511 ('511 PATENT)

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Filed By: Petitioner 3D Systems Corporation et al.,

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

INTREPID AUTOMATION, INC., a
Delaware Corporation;

Plaintiff,

v.

3D SYSTEMS CORPORATION, a
Delaware Corporation; and 3D
SYSTEMS, INC., a California
Corporation,

Defendants.

Case No.: 3:24-cv-02262-AGS-DDL

**DEFENDANTS 3D SYSTEMS
CORPORATION AND 3D SYSTEMS,
INC.'S NOTICE RELATING TO
INTER PARTES REVIEW (IPR)
PETITIONS OF U.S. PATENT NOS.
11,014,301 ('301 PATENT) AND
11,338,511 ('511 PATENT)**

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9 3D SYSTEMS CORPORATION and

10 3D SYSTEMS, INC.

1 **NOTICE RELATING TO *INTER PARTES* REVIEW (IPR) PETITIONS OF U.S.**
2 **PATENT NOS. 11,014,301 ('301 PATENT) AND 11,338,511 ('511 PATENT)**
3 **TO THE COURT, AND TO PLAINTIFF AND THEIR ATTORNEYS OF**
4 **RECORD:**

5 **PLEASE TAKE NOTICE** that Defendants 3D Systems Corporation and 3D
6 Systems, Inc. (collectively, "3DS" or "Defendants") hereby provide notice regarding their
7 presentation of certain invalidity arguments in relation to the pending *Inter Partes* Review
8 (IPR) Petitions of U.S. Patent Nos. 11,014,301 (the "'301 Patent") and 11,338,511 (the
9 "'511 Patent") (collectively the "Asserted Patents"), which were lodged with the United
10 States Patent and Trademark Office ("USPTO") Patent Trial and Appeal Board ("PTAB")
11 on July 8, 2025 and July 18, 2025, concerning the '301 Patent and the '511 Patent
12 respectively. (ECF No. 92).

13 3DS hereby provides notice that, if the PTAB institutes an IPR proceeding as to any
14 claims of either the '301 or '511 Patents, 3DS will not pursue in this litigation any invalidity
15 arguments that were raised or reasonably could have been raised on those instituted claims
16 in the respective petitions now pending before the PTAB. 3DS reserves the right to pursue
17 all invalidity arguments as part of its affirmative defense(s), counterclaim(s), invalidity
18 contention(s), or other disclosure(s) in this litigation before the PTAB renders a decision
19 on whether to institute IPR proceedings for any claims of either the '301 or '511 Patent.
20 3DS will withdraw from this litigation, as to any instituted claims, any invalidity arguments
21 that fall within the scope of this notice if the PTAB subsequently agrees to institute an IPR
22 proceeding. Nothing in this notice is intended to limit 3DS's ability to assert invalidity of
23 any claims of the Asserted Patents on any other ground not available in the IPR proceeding,
24 including under 35 U.S.C. §§ 101, 112.

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1 DATED: July 28, 2025

HUNTON ANDREWS KURTH LLP

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