From:	Melissa Haapala
To:	Halsey, Anna
Cc:	Fort, Ann; Spier, Jeremy; Kriz, Lindsay; Richard M. Bemben; Timothy L. Tang; Will Milliken
Subject:	ToughBuilt v. Meridian IPRs
Date:	Thursday, July 16, 2026 7:23:47 PM
Attachments:	image001.png Vallee, Glenn E. 071426 Rough Draft 641327.txt Dr. Glenn E. Vallee 071626 RoughDraft.txt

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[EXTERNAL]

Anna,

I am following up with our request to obtain additional information on the "stackable transportation system for tool storage containers" that Dr. Vallee developed in conjunction with his students in the 2015 time frame. Dr. Vallee discussed this "stackable transportation system for tool containers" in both declarations (paragraph 2) and both depositions (e.g., pp. 34-43 of his deposition for IPR2025-01462 and pp. 31-34 of his deposition for IPR2025-01461). We would like to obtain more details about this prior art system.

We request that you provide us with all information accessible to you, Meridian, or Dr. Vallee about this system, including any papers, publications, other documents, or products that were released as an outcome. We understand from Dr. Vallee's testimony that some of the information may be available on a university database. As you know, we are in the middle of our discovery period and such information falls under routine discovery pursuant to 37 CFR 42.51 (b)(1)(iii). In particular, you are required to serve relevant information that is inconsistent with a position advanced by Meridian during the proceeding, including your positions that the current claims and proposed substitute claims are patentable.

Further, pursuant to the Board's guidance in *Lectrosonics*, patent owner and individuals involved in the proceeding (which includes Dr. Vallee) have a duty of candor under 37 CFR 42.11 "to disclose to the Board information of which the patent owner is aware that is material to the patentability of substitute claims, if such information is not already of record in the case." *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-01129, Paper 15, 9-10 (PTAB Feb. 25, 2019) (precedential). The Board has explicitly ordered that any motion to amend and briefing shall comply with "the practices and procedures described in *Lectrosonics*." Scheduling Order, 5. As Meridian is now actively prosecuting new claims, we also ask that, in addition to Dr. Vallee's prior art stackable transportation system for tool storage containers, you provide us with any other information material to the patentability of substitute claims. To be clear, the Board has instructed that "[w]hen considering the duty of candor in connection with a proposed amendment, … [i]nformation about an added limitation may be material even if it does not include the rest of the claim limitations. *Lectrosonics*, p. 10.

We ask that you provide us the requested information no later that Tuesday, July 21st, so that we may consider it for our opposition briefing due on July 28th.

Thank you,

Melissa

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