UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSARA INC.,
Petitioner

v.

MOTIVE TECHNOLOGIES, INC.,
Patent Owner

Case IPR2026-00108
U.S. Patent No. 12,062,243

PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE

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I. INTRODUCTION

Patent Owner's ("PO") challenge rests on two clerical deficiencies that do not undermine the record. Supported by Dr. Hall-Ellis's sworn testimony, the Petition establishes Chun's public accessibility by February 2, 2020, satisfying *Hulu*. This is corroborated by Ex. 1005's arXiv date and the inadvertently omitted appendix, which Petitioner seeks authorization to file.

II. THE RECORD ESTABLISHES CHUN'S PUBLIC ACCESSIBILITY

A. The Hall-Ellis Declaration (EX1041) Addresses EX1005 ("Chun")

The Hall-Ellis Declaration identifies the Chun paper by full title, authors, and venue, and confirms that Dr. Hall-Ellis personally retrieved a complete copy from the Paul and Rosemary Trible Library. EX1041, ¶53. While Ex. 1005 is the arXiv preprint of the paper, Dr. Hall-Ellis's timely filed declaration explicitly links the two versions via direct URL to the arXiv digital repository in footnote 20. *Id*. ¶54 n.20. Under *Hulu's* "reasonable likelihood" standard, matching titles, identical authors, and a verifiable URL establish that the two versions represent identical technical substance, differing only in formatting and pagination. The internal label "Exhibit 1002" reflects that Dr. Hall-Ellis analyzed the conference-proceedings version she retrieved. Stated plainly, there is no uncertainty about the paper addressed. That Petitioner submitted the arXiv version rather than the proceedings version, see POPR at 20, was an inadvertent omission, as both versions were intended to be filed; this clerical error caused no prejudice, as addressed in Sec. III.

B. The Petition Supported by the Hall-Ellis Declaration Satisfies the Reasonable Likelihood Standard

The Petition (Pet., 3-4), supported by the Hall-Ellis Declaration satisfies *Hulu's* burden through Dr. Hall-Ellis's personal retrieval of MARC records: Stanford University Libraries cataloged the volume on February 2, 2020 (Field 008), EX1041, ¶57; indexed under "Computer vision § Congresses" with classification number TA1634, *id*., ¶58; held at 278 libraries per WorldCat, *id*., ¶ 59; and Dr. Hall-Ellis confirmed a complete copy at Christopher Newport University, *id*., ¶ 53. *Hulu* requires cataloging and indexing by a single library; this record far exceeds that threshold. Dr. Hall-Ellis's sworn description of specific OCLC record numbers, field values, and cataloging dates is competent evidence under Hulu's totality standard. *Hulu, LLC v. Sound View Innovations*, *LLC*, IPR2018-01039, Paper 29 (P.T.A.B. Dec. 20, 2019) (precedential), 16-17; EX1041, ¶¶ 55-59. The missing attachments corroborate that sworn testimony; they are not foundational.

C. The arXiv Date Corroborates Public Accessibility

PO acknowledges the October 8, 2019 arXiv date on the face of Ex. 1005. POPR at 17 n.2. Verifiable via the Dr. Hall-Ellis's URL, this date constitutes "indicia on the face of a reference" that adds to the totality of the evidence, further satisfying the reasonable-likelihood standard for the February 2020 publication date pleaded in the Petition. *Hulu*, Paper 29, at 16-17; Ex. 1041, ¶54 n.20

III. Authorization to File Missing Appendix (37 C.F.R. §§ 42.5 or 42.123)

Petitioner requests authorization to file the inadvertently omitted appendix containing materials Dr. Hall-Ellis retrieved and described under oath; specifically, the appendix was intended to be attached at the end of the Hall-Ellis Declaration, but a version of the file omitting the attachments was inadvertently uploaded. [1] EX1041, ¶¶53-59. In *Schott Gemtron Corp. v. SSW Holding Co.*, IPR2014-00367, Paper 30 (P.T.A.B. Sept. 22, 2014), the Board excused a similar clerical error because the patent owner had notice of the missing document's contents. *Nuna Baby*, IPR2018-01683, Paper 11, is distinguishable: there petitioner ignored a formal Board Notice, missed a cure deadline, and provided zero visibility into the missing exhibits. Here, Petitioner received no such notice or deadline, and the materials were extensively quoted in timely-filed sworn testimony, providing PO immediate constructive notice of their exact contents. Filing would complete the record, not expand it; and PO suffers no prejudice because the Board authorized a sur-reply and the materials introduce no new art, grounds, or arguments.

IV. CONCLUSION

The Petition supported by the Hall-Ellis testimony and EX1005's arXiv date satisfy *Hulu*; the Board should institute review and authorize filing the omitted appendix.

[1] Petitioner is prepared to submit a sworn declaration detailing the exact mechanics of this inadvertent upload error if required by the Board.

Respectfully submitted,

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE** was served in its entirety on March 16, 2026, upon the following parties via electronic mail:

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